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VOL. I. FEBRUARY, 1839. No. 2.

THE MANDAMUS CASE.

EXECUTIVE USURPATION AND CONTEMPT OF THE JUDICIARY AND CONGRESS.

In his recent message to Congress, the President has brought before the Legislature of the Nation, and forced upon the consideration of the people of the United States, a subject which, independently of this circumstance, would probably have failed to attract to it so large a share of public attention as its intrinsic importance would appear to justify. We allude to the case of the United States against Amos Kendall, Postmaster General of the United States, decided by the Supreme Court at its last session. The proceedings in this case, the President says, "resulted in the payment of money out of the national Treasury, for the first time since the establishment of the Government, by judicial compulsion, exercised by the common law writ of mandamus, issued by the Circuit Court of this District."

The President does not ask Congress to reverse the decision which has been made, or to compel the parties to refund the money which they have received under that decision. "No interference in the particular case is contemplated. The money has been paid, the claims of the prosecutors have been satisfied; and the whole subject, so far as they are concerned, is finally disposed of; but it is on the supposition that the case may be regarded as an authoritative exposition of the law as it now exists, that I have thought it necessary to present it to

your consideration." He proceeds to give such a summary of the case as leaves its main characteristics entirely out of view, and some of the grounds upon which the judgment of the Supreme Court was rested. Alluding to former decisions by the same tribunal, that such a remedy could not be granted by any circuit court sitting in a particular State, and that in this case it has been decided that it is in conformity with the law which prevails in the District of Columbia, he observes, "whatever difference of opinion may exist as to the expediency of vesting such a power in the judiciary, in a system of government constituted like that of the United States, all must agree that these *disparaging discrepancies* ought not to be permitted to continue, and as Congress alone can provide the remedy, the subject is unavoidably presented to your consideration."

So far as we can gather from the context, the "disparaging discrepancies," to which reference is made, is simply this;—that throughout the rest of the Union an officer of the United States who has been charged by an act of Congress with the performance of a specific duty, in which the interests of a citizen are vitally involved, may neglect or refuse to execute that duty, may ruin the individual by his illegal conduct, and there exists no power which the injured party can efficiently invoke to redress the wrong and enforce the execution of the law; while in the District of Columbia it is now settled, that the citizen may appeal to the courts to act upon the refractory officer, and enforce by their mandate the performance of the duty enjoined on him by positive statute.

That such a "discrepancy" exists, there can be no doubt as the law now stands. In one signal particular the citizens of this District enjoy an advantage over their brethren throughout the Union. Here the law reigns supreme, and the minion of power is compellable to obey its requisitions. Here, if Congress, exercising its constitutional functions, directs a public officer to perform a specific act, although he may contumaciously refuse, and may be sustained in his contumacy even by the overshadowing influence of the Executive, the judiciary will carry out the legislative behest, and enforce the performance of a clear and palpable obligation of official duty. Throughout the residue of the Union the citizen in such a case is without remedy. The officer of the Government may disregard the plainest requisitions of the law, and if the President chooses to sanction his misconduct, the will of thelegislature may be disregarded with impunity. That such a "discrepancy" is "disparaging" we concede. But under "a system of government constituted like that of the United States," a government of law,

where, to borrow the elevated and felicitous language of one of the purest and most enlightened men who ever adorned the bench, "our law like our God is no respecter of persons," that there should be found a corner of the land where obedience to the law cannot be enforced, is equally the subject of astonishment and regret. It is the existence of such a state of things to which the term "disparaging" ought to be applied. Even in those States which lie in this "disparaging" condition, the evil exists only in relation to the officers of the United States. There are State tribunals which can thus operate upon, control and command, State officers of the highest grade, and compel them to obey the law. In the great States of New York, Pennsylvania, Ohio, Virginia and Kentucky, this has been repeatedly done. We consider it as an essential feature in every free and republican government.

Although the President does not in terms intimate his opinion or his wish how "these disparaging discrepancies" should be terminated, it is pretty plainly intimated that he desires it to be accomplished, not by extending throughout the land the enjoyment of those privileges which exist in this favored district, not by enlarging the powers of the other circuit courts, but by cutting down those of the circuit court of this district to the same imbecile standard, and depriving us of the protection which the law affords against the lawless acts of Executive power. He would reduce all to the one degraded level of being absolutely dependent upon the Executive arm for the attainment of rights which Congress have solemnly conferred or recognized. He would reduce every American citizen to that condition that a public officer may at his option perform or disregard the law which involves the dearest interests of individuals. We cannot but be struck with alarm at these Executive recommendations.* We are too prone to congratulate ourselves upon being the exclusive possessors of freedom, and look down with too self-complacent a contempt upon the institutions of other lands. Yet in Great Britain, thrice within the last few years, have their courts interfered, by the process of mandamus or injunction, to compel the highest officers of the crown, in one instance Lord Grey, the Prime

* Occasion was taken in our last number to allude to the systematic course pursued by the present Administration, to extend the Executive power and to strengthen the Executive arm whenever it could be accomplished, whether at the expense of the States or of the judiciary and legislative branches of the Federal Government. In this case menaces of no dubious import were held out to awe the court into obsequiousness to the President's will. Failing in this manner to attain the end, the appeal is now made to the Legislature to deprive the courts of the power they have exercised.

Minister, to perform an act which the law had commanded for the benefit of a subject. One of the most acute and liberal among those foreigners who have studied with the greatest care the institutions of this country, observes that "the rights granted to the courts of justice of judging the agents of the executive government when they have violated the laws, is so natural a one that it cannot be looked upon as an extraordinary privilege. Nor do the springs of government appear to me to be weakened in the United States by the custom which renders all public officers responsible to the judges of the land. The Americans seem, on the contrary, to have increased by this means that respect which is due to the authorities, and at the same time to have rendered those who are in power more scrupulous of offending public opinion." M. de Tocqueville proceeds to cite a passage from the existing law of France, which provides that "all the agents of the government, below the rank of ministers, can only be prosecuted for offences relating to their several functions by virtue of a decree of the Council of State, and remarks that he has always found the utmost difficulty in explaining its meaning to Englishmen or Americans. They were at once led to conclude that the Council of State in France was a great tribunal, established in the centre of the kingdom, which exercised a preliminary and somewhat tyrannical jurisdiction in all political causes. But when I told them that the Council of State was not a judicial body, in the common sense of the term, but an administrative council, composed of men dependent on the crown, so that the King, after having ordered one of his servants called a prefect, to commit an injustice, has the power of commanding another of his servants called a councellor of State, to prevent the former from being punished: when I demonstrated to them that the citizen who has been injured by the order of the Sovereign, is obliged to solicit from the Sovereign permission to obtain redress, they refused to credit so flagrant an abuse, and were tempted to accuse me of falsehood or of ignorance."*

Such is the enviable condition to which the President's recommendation would carry us. He would strip us of that which has been deemed one of the highest privileges of an American, one of the most admired features in our free institutions—one of the most efficient safeguards of our liberties, and leave the executive officers free from any other superintendence or control than such as the President may himself choose to exercise.

How such a system, if reduced to practice, would operate, may

* Democracy in America, pp. 81, 82, 83.

readily be imagined; a hoary soldier of the Revolution may seek to have his name enrolled on the list of pensioners, and Congress, recognizing his rights, may command it to be done; the officer charged with this specific duty may refuse to perform the act and leave him to his penury and his sorrows. An individual who has just demands on the Government for services rendered, or for property lost in the public employ, may appeal to the Legislature of the country for reimbursement of his losses, or compensation for the benefits which he has conferred, and Congress may legislate upon the subject and make provision for his case. The officer charged with the public funds, and legally directed to pay his just debt, may refuse to obey the mandate. The Treasury officer may omit or neglect to pay a public servant the salary which the law has appropriated. In all these instances, and a thousand others, the President may direct his subordinate not to comply with the law, and the injured party is to be left without remedy and without redress. If these acts of mere omission may be committed with impunity, the most grievous outrages may be perpetrated with the same result. The legislative department may thus be rendered equally powerless and contemptible. The judiciary is merely the executor of the legislative will. It is, moreover, the only instrument by which, in general, that will can be enforced. It is the only department of the Government whose action is not voluntary and gratuitous. It never acts until its action is invoked, but when invoked it cannot remain quiescent. Deprived of this means of carrying out its own behests, the legislative department must be a mere cypher, wholly at the mercy of the Executive. Such is the condition to which the President's recommendation would lead. Such is one of the features which characterizes this self-absorbing Administration. We cannot apprehend, even constituted as the present Congress is, that there exists much danger that such recommendation will be followed. The humblest vassal is unwilling to deprive himself of that power which renders him important in the eye of his master.

A reference to the particulars of the case which has awakened this movement, is necessary to the full comprehension of this recommendation. Messrs. Stockton & Stokes are well known to have been for many years among the most prominent of the contractors for the transportation of the mail of the United States. During the period that the late William T. Barry was at the head of the post office, these gentlemen had entered into large and important contracts for carrying the mail. The services which they had stipulated to perform had been, in a great measure, executed; their accounts had been regularly adjusted

and settled, and the balances appearing in their favor had been paid. These contracts were still subsisting when Mr. Kendall came into office. Without discontinuing the performance of their duties by the contractors, but suffering them to proceed throughout the whole residue of the term of their continuance, a period of about nine months after he entered the office, the new Postmaster General assumed the authority to examine into the conduct and acts of his predecessor, pronounced the contracts themselves illegal, re-opened the settled accounts, and charged against the contractors a sum of about $122,000, which had been paid to them on this account.

A more gross and palpable usurpation of authority—a more high-handed act of illegal oppression, has rarely if ever been exhibited throughout our history. Whatever powers belonged to Mr. Kendall, as Postmaster General, belonged to his predecessor in office. If Mr. Barry's contracts did not receive the sanction of his successor, the law provides for his putting an end to them. If money had been illegally paid, it might have been recovered back by suit. He did not choose to exercise this power and discontinue the services, but allows them to go on; nor did he venture to submit the question of illegality to the courts of justice, but assuming to exercise a power which the law never gave, he reverses the acts of his predecessor, sets aside settlements of accounts which he had made, and re-charges the parties with money which he had paid. Such a power, we undertake to say, does not exist. Its exercise has been repudiated by every head of a department during the administrations of Mr. Adams and General Jackson, with the single exception of this unique individual, Amos Kendall, who has himself officially denounced it as irregular and illegal whenever it happened to suit his convenience.

After various ineffectual efforts to obtain a reversal of this extraordinary proceeding, the parties appealed to Congress for relief. Threatened with utter ruin by the withdrawal of so large an amount of available means, they endeavored to conciliate and propitiate the Juggernaut under whose wheels they were well nigh crushed. He appeared at times disposed to relent, and certainly avowed a disposition to aid them in their application for legislative relief. Congress perceiving that, whether Mr. Barry had mistaken and transcended his authority or not, the contractors ought in no manner to be held responsible for his errors, and that they had actually, in good faith, done what they had stipulated to perform, passed a law empowering the Solicitor of the Treasury to examine the case, to ascertain the amount due upon these contracts upon principles of equity, and directed the Postmaster General to enter upon the books

of the Department a credit for such balance as the Solicitor should award to be due them. The Solicitor, (Mr. Maxey,) undertook the performance of this laborious duty, and, after several months devoted to the investigation, completed the task, adjusted the balance, and reported it to the Postmaster General. The duty enjoined upon that officer was simple, precise, and definite. No control, no supervisory power over the award was devolved upon him. He was to give the parties credit on the books of the Department for the amount which, by the Solicitor's award, should appear to be due to them. This was the length and breadth of his authority. In part he complied with this duty, but in reference to a sum of near $40,000, he peremptorily refused obedience to the law.

The only ostensible ground upon which the Postmaster General has ever professed to rest this act of insubordination, was that the Solicitor had misconstrued the law and transcended his authority. This is another of the remarkable features of this extraordinary case. The first act of this official dignitary was to usurp the power of deciding upon the legality of the acts of his predecessor, acts over which he had no jurisdiction. His second is to pronounce the same sentence of condemnation upon Mr. Maxey, the Solicitor. Both these high officers are charged with doing what the law did not authorize, and Mr. Kendall assuming the two distinct offices of judge and executioner, to neither of which he has as yet any lawful claim, condemns the parties and carries into execution his own judgment.

The Solicitor, anticipating this difficulty, had applied for and obtained the opinion of the Attorney General upon the construction of the act of Congress. That opinion was throughout in accordance with his own.

It was under these circumstances that the parties, unable to induce the Postmaster General to perform his duty, and to execute the law, invoked the interference of the President "to perform his constitutional functions in seeing the laws carried into effect." The President transmitted their communication to the officer whose conduct was implicated, who, after stating the difference between the Solicitor and himself, and that he had fully executed the intention of the act of Congress, suggested that the parties should apply to Congress for an explanatory act. To this suggestion General Jackson yielded, and recommended that this course should be pursued. It does not appear that the President himself examined the law and formed an opinion upon its construction; or that he was apprised of the fact that the official opinion of the Attorney General had been taken upon it.

In compliance with this advice from so high a quarter, a memorial was presented to Congress praying that body "to provide such remedy for this denial of their rights, as in their wisdom may seem right and proper." In the Senate it was referred to the Judiciary Committee. On the 20th January, 1837, Mr. Grundy, the Chairman of that committee, submitted a report which contains a masterly and conclusive argument, showing that the Solicitor had placed the proper construction on the law, and concluding as follows: "From the view which the Committee have taken, the conclusion to which they have arrived at is, that the whole amount decided to be due and oweing to the petitioners, by the Solicitor of the Treasury, ought to be paid them out of the funds of the post office Department, according to the directions of the act entitled 'An act for the relief of William B. Stokes, Richard C. Stockton, Lucius W. Stockton & Daniel Moore,' and that no further action of Congress is necessary; therefore the Committee recommend the adoption of the following resolution: Resolved, that the Postmaster General is fully warranted in paying, and ought to pay, to William B. Stokes and others respectively, the full amount of the award of the Solicitor of the Treasury."

While this matter was under the consideration of the committee, the Postmaster General addressed a letter to the honorable Chairman, in which he asks to be heard by them before they make report. He undertakes to satisfy them that the Solicitor had transcended the law; he makes the bold and groundless assertion that the parties have "already received over $100,000 without rendering any equivalent whatever in public services," and concludes with characteristic modesty by saying, "I mistake the case and my ability to make myself understood, if I cannot convince the committee that the act referred to, instead of receiving greater force from any action on their part, ought to be forthwith repealed."

This is, perhaps, one of the most glaring acts of official interference with the Legislative Department, while acting upon a case of individual right, that we have ever encountered. The parties had gone to Congress by the recommendation of the President, originating in the suggestion of the Postmaster himself; he had induced the Executive to withhold his constitutional action, on the ground that an explanatory act was necessary to reconcile a difference as to the construction of an act of Congress between himself and the selected judge, selected by Congress itself; he obtrudes himself before the committee, and wishes to be heard as to the true meaning of their own language; and, finally, he distinctly recommends a repeal of the law, an act involving a gross

breach of plighted public faith, an act which, we cannot forbear saying, no honest man would advise, and no honest man would sanction; an act which the Supreme Court said it may well be questioned whether it was not beyond the power of Congress.

This piece of impertinence received from the committee a pointed rebuke. The chairman was instructed to say "that they have passed upon the act of the last session of Congress, for the relief of William B. Stokes and others, a construction, of the correctness of which the committee entertain no doubt; and that, had any doubt existed, resort would have been had to the Attorney General of the United States, who is the proper officer to be applied to where the legal interpretation or construction of an act of Congress may be required." As to the allegation that the petitioners had rendered no equivalent in services for the large sums awarded to them, the committee state "that they have felt it their duty to be governed by the decision of the arbiter selected by Congress, unless fraud or some unfair practice in procuring the decision should be shown. It is not understood that anything of this kind is suggested, and the fact that you have paid $120,000 under the award, forbids the idea."

The committee further inform the Postmaster that his application should have been made to the Senate and not to them, and that to enable him to make good his allegations, the chairman is directed to make the report which had been previously prepared, and not to ask the action of the Senate until he should have time to present his application to that body. Thus foiled in his indirect attempt to sway the committee in the exercise of a judicial function, the giving a construction to an existing statute, upon which depended the extent of the pecuniary rights of individuals, this persevering functionary addressed himself to the more willing ears of the President, and on the 31st of January wrote an elaborate article of more than twenty pages, in which he labored to prove that the Solicitor's award ought not to be executed. This document being transmitted by the President to Mr. Maxey, received from that gentleman a full and triumphant reply; and both, with Mr. Kendall's rejoinder were, by the President, laid before the Senate, and referred to the Judiciary Committee.

This strikes us as another of the extraordinary features in this case. The President, under the influence of the Postmaster had, when it was his right and duty to act, refused to investigate the case; and had compelled the parties to go before Congress. While Congress had the matter before them, involving simply a question whether one public functionary or another had correctly interpreted an act of Congress,

the President (as we think, unconstitutionally,) interferes, and submits to the Legislature the highly excited attack and reply of these officers, nine-tenths of which could have no fair bearing upon the question at issue.

These documents were on the 15th of February sent to the Senate, and on the 17th the Judiciary Committee report to that body, that they "have considered the documents communicated, and cannot discover any cause for changing their opinion upon any of the principles advanced in their former report, nor the correctness of their application to this case. They therefore recommend the adoption of the resolution heretofore reported by the committee." That report was passed by that body without a dissenting voice, and thus, by the unanimous vote of the Senate, the judgment and opinion of the Solicitor was affirmed, and that of the Postmaster reversed.

Fortified by this new and solemn decision in their favor, the parties again bring their case before the President. He is now informed that the Postmaster General has assumed a power which no law conferred or sanctioned, that of pronouncing upon the conduct and judicial opinion of an officer whose jurisdiction was at once absolute and exclusive; that in taking this course he was proceeding in opposition not only to the Solicitor, but to the express opinion of the Attorney General, of the whole Judiciary Committee of the Senate, and the unanimous vote of the Senate. Notwithstanding the earnest and renewed appeal to Mr. Van Buren under all these circumstances, he pertinaciously refuses to interfere, and thus virtually sustains the Postmaster.

Upon what new version of the Constitution this act of non-interposition can be justified, or even palliated, we are at a loss to conjecture. Even Mr. Kendall himself surrenders this point. "If," says he, "a subordinate executive officer refuses to perform a ministerial act, positively enjoined on him by law, the injured citizen may appeal to the President, whose duty it is to take care that the laws be faithfully executed. There is a process by which the President himself can be reached for a perverse refusal to execute the laws, or take care that they be executed, and a Chief Magistrate who will do his duty put in his place."

The very case has occurred; it is here presented. The subordinate has refused to perform a ministerial act, positively enjoined on him by law; the injured citizen has appealed to the President; he has perversely refused to execute the law, or take care that it shall be executed. Where then is the process by which he can be reached? why is it not applied, and a Chief Magistrate who will do his duty put in his

place? By the admission of the original offender himself it was the duty of the President to dismiss him from office for his insubordination to the law, and his refusal or omission to perform this duty, justly subjects the Executive himself to removal from office by impeachment.

It was not till all these means of attaining their just rights had been employed, but employed in vain; it was not till all these modes of redress had been resorted to, but without success, that these oppressed and injured citizens cast their eyes upon the tribunals of justice as their last resource. Advised by counsel that the courts of law had jurisdiction to compel an executive officer to perform a ministerial duty positively enjoined by law, they were reluctant to resort to such a remedy. Deprived as they had been of their ordinary pecuniary means, they felt themselves as little able as willing to resort to a slow and expensive litigation. Had they anticipated that the whole weight of executive influence would be interposed and arrayed against them, they would probably have declined the combat and sunk under their losses. It is a matter of fact that one of the parties did yield to this unequal contest, and, despairing of relief, fell a victim to the exacerbation of feeling which was excited by a sense of the injustice he had sustained and the hopelessness of relief. Richard C. Stockton, a man honored where known, beloved and respected in all the relations of life, has fallen a victim to the oppressions which were heaped upon him, and died, if not a martyr in the cause of justice, a victim of lawless usurpation and unconstitutional outrage. We are compelled to repress the feelings which rise in our breast when we contemplate the fatal result of the injuries which we have stated, and which almost force an utterance suitable to the occasion.

Such was the case that was brought before the Circuit Court of the District of Columbia. Again the President abandoned his non-intervention policy. The opinion of the Attorney General, the law officer of the Government, is appended to the return of the Postmaster General himself, and sustains him in his doctrines that no court of justice can arrest his course of injustice, or enforce upon him the performance of a legal duty. The District Attorney, acting under the order of the Executive, steps forward to arrest the arm of the law, and lends all his efforts to establish the proposition that no court of justice has jurisdiction to redress so flagrant a wrong. Not one of these public officers avow in any part of the case a concurrence with the Postmaster General, or intimate an opinion that he gave the true interpretation to the law. In fact the opening sentence of the argument of Mr. But-

ler, the Attorney General, admits the accuracy of the representation of the counsel for the petitioners. "It has been correctly said," he remarks, "by the learned counsel for the defendants in error, that all the facts alleged in the petition are admitted in the return." In a subsequent part of the same argument he says further, "on one point, he (the Solicitor) requested the opinion of the Attorney General. That officer concurred with him. He thought with the Solicitor, and still thinks, that the words employed in the act gave the Solicitor authority to decide on the contracts described in the law, for services after as well as before April, 1836."

The only question then which was presented to the Circuit Court originally, and subsequently to the Supreme Court, was whether when the law has conferred a precise right upon a citizen, and imposed upon a public officer a precise duty; when that officer has refused to perform that duty, and the President refused to enforce the execution of the law, the party injured had a legal right, by a resort to the Judiciary of the country, to have that law enforced.

Upon this momentous question the Supreme Court has finally pronounced. From this decision, which he opposed with all the weight of executive influence, the President has appealed to the nation and to Congress. He claimed that he is the sole and arbitrary authority to which the citizen can appeal from what is now conceded an act of arbitrary and lawless usurpation of authority by one of his subordinates, and that the President may at his pleasure refuse or neglect to interfere in the case. That the law may be contemned, the Senate defied, the citizen outraged, and that, if the Executive remain silent, the injury must remain unredressed.

One of our most distinguished jurists, himself a sufferer under similar acts of outrage, in one of the most splendid efforts of judicial eloquence that ever burst from the lips or flowed from the pen of a victim of oppression, thus remarks, "when a public functionary abuses his power by any act which bears upon the community, his conduct excites attention, provokes popular resentment, and seldom fails to receive the punishment it merits. Should an individual be chosen for the victim, little sympathy is created for his sufferings, if the interest of all is supposed to be promoted by the ruin of one. The gloss of zeal for the public is therefore always spread over acts of oppression, and the people are sometimes made to consider that as a brilliant exertion of energy in their favor, which, when viewed in its true light, would be found a fatal blow to their rights. In no government is this effect so easily produced as in a free republic; party spirit, insepara-

ble from its existence, then aids the illusion, and a popular leader is allowed in many instances impunity, and sometimes rewarded with applause, for acts that would make a tyrant tremble on his throne."

In the case upon which we have been commenting, it has been solemnly adjudged by the Supreme Court that the law affords a remedy for such misuse of official power. Justice has interposed her strong arm and compelled Amos Kendall to pay the full amount of the Solicitor's award. After a protracted struggle, involving heavy expenses, the claimants have received the principal of their debt without interest for the delay, or compensation for the expenses to which they had been subjected. But the supremacy of the law has been vindicated. The despotic, the grossly anti-republican doctrines of the Postmaster General and his counsel, claiming on behalf of the President more ample and uncontrolled powers than any British monarch for a century and a half has ventured to assert, have been most signally rebuked. We cannot but congratulate the people of the United States upon this result. We cannot but congratulate them upon the evidence which it affords of the exisience of a judicial tribunal which, regardless of the avowed and expressed wishes of the Executive, will venture to enforce even against his proudest satellite, the mandate of the law.

Upon all the substantial merits of the case this decision was unanimous. The nine judges concurred in the opinion that the Postmaster General had acted in palpable violation of the law and of his duty. They sustained the opinion of the Solicitor, and declared his award final and conclusive.

The Chief Justice in his opinion distinctly says "there is another point on which there is no difference of opinion in the court. We all agree that it was the duty of the Postmaster General to credit Stockton & Stokes with the amount awarded by the Solicitor of the Treasury; that no discretionary power, in relation to the award, was given to the Postmaster General, and that the duty enjoined upon him was merely ministerial."

Upon a single question, relating to the exercise of this special jurisdiction by the Circuit Court of the District of Columbia, the authority of that court was affiirmed by six judges (Story, Thompson, McLean, Baldwin, Wayne and McKinley) against the dissenting opinions of the other three (C. J. Taney, Barbour and Catron.)

It is to this judgment that the President has thought it incumbent upon him to invoke the attention of Congress. Had he brought before that body the conduct of his own Postmaster, now settled by the highest authority to have been in defiance of his duty and of the law;

had he exhibited the insolence of his conduct—the cruel consequences which have resulted from it—the unconstitutional principles upon which it was defended by the offender himself and his counsel, acting under the special command of the Executive himself:—had he shown how his predecessor, and still more distinctly, how he himself had countenanced and supported this daring outrage upon the law, in utter contempt of the constitutional duty of the Executive;—had he recommended to Congress to strengthen the arm of the law, to increase the facilities by which citizens may obtain their rights, and executive officers be forced to perform their duties, he would have reflected honor upon himself and conferred a signal benefit upon his country. Instead of this, however, he has submitted the case to the consideration of Congress, with the view that that body will recognize and legalize the slavish doctrine proclaimed throughout this cause, that an executive officer may violate the injunctions of the Legislature,—may withhold the payment of public moneys which Congress have directed him to pay,—may insult the citizen with his foul slanders,—may crush him to ruin and to death by his lawless oppressions,—and that the injured party has no other remedy than such as the Executive may graciously please to afford. Congress is asked to take away from the only court which possesses it, a jurisdiction familiar to the English law, exercised in analogous cases in every State in the Union, which the Constitution of the Union sanctions, and enjoins upon Congress to vest in some tribunal of justice, and which the nature of our free institutions imperiously demands should reside somewhere. He wishes to assimilate us to the state of France, as described by the author whom we have quoted, where the King may command one officer to inflict a wrong and another to protect him from responsibility. We trust that as the subject is brought before Congress that the House of Representatives will probe the whole matter, and employ some such process as the Postmaster has informed us may be applied to officers acting as he has done, and even to the President who may omit to use the means with which the Constitution has clothed him, to redress the wrong.

The entire scope of the argument on behalf of the Postmaster General, is thus stated and commented on by the Supreme Court:

"It was urged at the bar that the Postmaster General was alone subject to the direction and control of the President, with respect to the execution of the duty imposed on him by law; and this right of the President is claimed as growing out of the obligation imposed on him by the Constitution, to take care that the laws be faithfully executed. This is a doctrine that cannot receive the sanction of this court. It

would be vesting in the President a dispensing power, which has no countenance for its support in any part of the Constitution; and is asserting a principle which, if carried out in its results to all cases falling within it, would be clothing the President with a power entirely to control the legislation of Congress, and paralyze the administration of justice."

This is the language, not of opposing counsel, not of interested parties. It is the calm, sober impassioned judgment of the highest judicial tribunal in the land. The slavish doctrine of the Stuarts, that the Executive possesses a disposing power, has been attempted to be engrafted on our tree of liberty. The law advisers of the Government, one of them a member of the cabinet, have been charged with this high offence, and rebuked for the attempt by the Supreme Court. Yet these officers are allowed to continue basking in the full sunshine of Executive favor.

In another part of the opinion, the Court say, that, "to contend that the obligation imposed on the President to see the laws faithfully executed, implies a power to forbid their execution, is a novel construction of the Constitution, and entirely inadmissible. But although the argument necessarily leads to such a result, we do not perceive from the case that any such power has been claimed by the President." The last sentence in this extract, has been changed since that opinion was delivered from the bench. It then read "but although such argument was urged at the bar," &c. That in point of fact, "such argument was urged at the bar," was distinctly asserted by four of the Judges, Thompson, Baldwin, Wayne and McKinley, Judges Story and McLean having left the bench, and not contradicted by any. This modification was made at the special request of the Attorney General, and assented to by at least one judge, on the single ground, that he was willing that no testimonial should exist in the records of that tribunal, of principles having been addressed to the Court, which the learned judge declared, he had listened to, with equal astonishment and abhorrence, and which until thus advanced, he had not supposed there existed an American so ignorant of the Constitution, and of the principles of our institutions as to entertain.

The language of the Supreme Court on this occasion, is in exact accordance with that delivered several years since, by one of the finest men, who ever adorned that tribunal. "The President of the United States," says Judge Patterson, "cannot control the statute, nor dispense with its execution, and still less can he authorize a person to do what the law forbids. If he could, it would render the execution of the la-

dependent on his will and pleasure; which is a doctrine that has not been set up, and will not meet with any supporters in our government. In this particular the law is paramount. Who has dominion over it? None but the legislatures: and even they are not without their limitation in our republic."

To afford to the general reader some conception of the arrogant and menacing language, which was addressed to the Court on this occasion, we will select one or two brief passages from the return made to the mandamus, by the Postmaster General. "The judges" says he, "have no effectual means of executing the law. They might imprison the Executive officer, but they could not remove him. Imprisonment might not accomplish the object. The Court could not guide his hand nor control his will. If he were conscientious in his refusal, or wished to appear so, no imprisonment, nor pains, nor penalties, could compel him to do an act which, in his opinion, violated his oath of office. The whole power of a court would be impotent to control an honest man. The inadequacy of the judicial process, and the ample power vested in the President, are conclusive proof, that the President, and not the Court, was intended to be the controlling authority in all such cases."

After putting a case in which the President himself, having refused to perform a specific act required of him by law, and disobeying a mandamus directed to him by the Court, an attachment is ordered, "by whom," he inquires, "do they send it? By a marshal holding his office at the will of the President, who can strike their process dead in his hands, by dismissing him upon the spot? This fact proves the absurdity of the power assumed. And that which the President can legally do to protect himself, he can do to protect any of his agents, being always responsible to his country for the proper exercise of his power." In much the same strain of reasoning, Mr. Attorney General Butler says, "the fact that without the *consent* of the Executive Department, a peremptory mandamus to an Executive officer must forever remain inoperative, exhibits in the clearest light, the incapacity of any court to issue such a writ."

It would scarcely be practicable by any comments of ours, to give to these doctrines a deeper stamp of infamy, than their intrinsic character merits, and must receive at the hands of a nation of freemen. If the principle be admitted to the extent in which it has thus been promulgated by these official dignitaries, if the President shall be allowed to exercise the powers which have been claimed on his behalf, by his own subordinate officers, of dispensing with existing laws, there is no

limitation upon his powers. The laws which prescribe duties to all the officers of the government, may be suspended at his will. The power of courts to take jurisdiction of causes, to try civil suits and criminal offences, may all be arrested at his pleasure. The marshal may have the process of the court struck dead in his hands, whether that process be a capias to arrest an individual in a civil suit, or upon an indictment for the highest degree of crime, a warrant of execution, or a subpæna in chancery, as well as a mandamus. If he can exercise this power constitutionally, to protect his own agents as they are termed, he may arrest the course of justice in every case, however flagrant. If he may lawfully forbid these officers to execute one law, he may prohibit them from performing any duty imposed on them by the legislature. What form of government recognizes a larger extent of power in the hands of the Executive? Truly has it been argued, that this language arrogates to the President a more despotic authority, than was ever exercised by King or Dictator, by Emperor or Czar. The Oriental despots may hereafter look to our republican democratic institutions, with altered eyes, and borrow from us new lessons in the art of tyrannising. Yet, such are the principles now avowed by men employed by the Government in the most responsible and confidential situations, professing to act under the directions of the Executive, and to speak its sentiments. When the eye of every lover of free institutions throughout the world, is turned upon us with admiration, and with an earnest wish to follow our illustrious example, when we are in like manner watched with alarm and jealousy, by every friend to despotism and uncontrolled tyranny, the blush of shame more highly crimsoned by a feeling of abhorrent indignation, is excited at beholding our high functionaries playing the part and assuming the attitude of the vilest slave, dishonoring their country by such slanders upon its institutions, and voluntarily surrendering every principle which can guard our national freedom and individual liberty.

This language was not hastily uttered in the heat of an extemporaneous debate. It is the deliberate written language of the respective parties addressed to a court of justice. Such are the principles avowed by two members of the cabinet. The power is asserted to exist in the President to dispense at his pleasure with the laws of the land, to forbid a subordinate officer to perform an act which the law enjoins upon him, and thus completely "to control the legislation of Congress." Not satisfied with this monstrous assumption of authority, we are again told that the President may "paralyze the administration of justice," by "striking dead" the process of the court in the hands of the mar-

shal, by dismissing him upon the spot; and that no court can execute such a writ upon an Executive officer, without the consent of the Executive

We cannot refrain from expressing, with the learned judge, our astonishment and abhorrence of such doctrines. We have been surprised at the small degree of attention which they appear to have awakened in the public mind, or on the floors of Congress. It is an insult to the nation, that such doctrines may be avowed by a high functionary of the Government; it is an insult to the nation that after uttering them he should be permitted to remain an instant in public office. Have the American people not only lost that characteristic for which they were once so conspicuous, of "snuffing the approach of tyranny in every tainted breeze," but have they become utterly callous and insensible, when the most slavish doctrines are publicly and officially proclaimed in high places? Will they tamely submit to have those doctrines fastened upon the Constitution, and the framers of that instrument slandered by the foul accusation, that such principles are in accordance with, and constitute a part of that memorial of their wisdom, and their love of liberty?

With such principles to guide the administration, and with the precedent now set by the Executive, of flinging the whole weight of his personal and official influence in the scale, where stood suspended the demands of a private citizen to have the law exercised in his behalf, against the arrogant assumption of a ministerial officer, to contemn the mandate of the law, we have as yet two powerful bulwarks against this aggrandizement of Executive power. Congress has been invited by the President to betray their high trust and remove the impediments which yet exist to this career of usurpation. We entertain little apprehension, that they will gratuitously surrender the authority which they are asked to concede. The Judiciary has manfully sustained itself in the conflict. This department has nobly met and rebuked the course of the Executive, and the language of his minion. It has sustained with firmness, yet with dignity, those assaults upon the Constitution. This case presented the first instance in our judicial history, in which the wishes and opinions of the Executive, were introduced by authority, in the argument of a case in any court of jutice. Indeed, the entire character which the cause assumed, grew entirely out of this illegitimate interposition. While it was pending, our minds could not but revert to an article which appeared in an early number of the Democratic Review, written with such plausibility of manner and in a truly *ad captandum* style, the purport and design of which could scarcely

be misapprehended. There were certain passages in that paper, particularly significant, and which we could not but regard as darkly ominous. The writer observes, that he has been "brought painfully to the conviction, that the Judicial department has arrogated political authority, not belonging, and extremely injurious to it." The initiatory passage was pregnant with meaning. "The late *renovation* in the constitution of this august body, (the Supreme Court) by the creation of seven of its nine members, under the auspices of the present democratic ascendancy, may be regarded as the closing of an old, and the opening of a new era in its history. And certainly, to those who have looked on, for so many a weary year, in sorrow and almost in despair, at the career of high handed judicial legislation, which it was so proudly pursuing, this correction—salutary, however tardy—of the anti-democratic principles, that have so long characterized it, affords a subject of sincere congratulation."

We know that the deepest chagrin and mortification were felt at the unanticipated result of the mandamus case. We have reason to believe, that no small share of this ill humor was cast even upon the three judges who dissented from the majority, and that harsh language was applied to the Chief Justice, for the manliness and directness, with which he expressed the unanimous opinion of the Court upon the substantial merits of the case. It is now "a subject of sincere congratulation" that not one member of that "august body," was found to countenance or sanction the baleful and unconstitutional doctrines upon which we have commented. So far as any opinion in reference to them was expressed, it was decidedly condemnatory, and from that part of the opinion, no dissent appears.

The language we have quoted, attributed, we believe justly, to a distinguished member of the Pennsylvania bar, standing high in the confidence of the political party then in ascendancy, promulgated to the world through a publication avowedly set on foot to speak the sentiments and sustain the principles of the Administration, had not passed unnoticed or unheard. The professional, if not the public mind, was prepared for some palpable and outward manifestation of these new influences. The matter has been brought to a crisis. The Executive has ventured to raise an issue between it and the judiciary, has assumed the position of a party litigant, has dared to intimate to the Court what decision it will be expected to pronounce in a case, which ought never to have risen to any higher degree of importance than any other litigation between Stockton & Stokes as plaintiffs, and Amos Kendall as defendant. The onset has been made upon the purity and indepen-

dence of the judiciary. The defeat has been overwhelming. Most signal has been the failure. With feelings approaching to a solemn and religious confidence in the permanency of our institutions, we hail the glorious result; and in our judgment, most unwise is the present effort again to revive the conflict, by bringing the subject anew before the notice of the nation and of Congress.

While these sheets are passing through the press, we regret to find that our anticipations have been, to a certain extent, disappointed. The Judiciary Committee of the Senate, has reported a bill to carry out the President's recommendation. It provides for depriving the Circuit Court of the District of Columbia of the jurisdiction which it has exercised, and placing it, in this particular, upon the same footing with the other Circuit Courts. We confess, that we have been egregiously mistaken. We had not supposed it possible, that there could have been found in that body, any committee which would be willing to sanction a measure which removes every restraint upon Executive power, which yields to the President full and complete sway over every law of the land, and which, in substance, admits every doctrine which has been set forth by the Postmaster General and his counsel. We will not however despair. We shall never believe, until compelled by the occurrence of an event so much to be deprecated, that such a bill can ever become a law. We will not relinquish the hope that its character will be changed, and that it will be converted into a law to remove the "disparaging discrepancy," by extending a power so wholesome and republican, to the other courts of the Union.

AMBITION'S DREAMS.

The bird that folds his wings in extacy,
Feeling how pleasant 'tis to leave the earth,—
Ceasing to rise, to dream upon his joy,
When he shall reach the stars so far above,
Is sinking down the while; for air buoys not
Without the repeated aid of buoying wings,
And if his soaring energies rest long,
He must renew with much enfeebled force
His doubly arduous flight;—and so, indeed,
Ambition's dreams do clog ambition's wings,
And fold them in luxurious slumbering,
Idly anticipating the future splendor,
While growing distance makes the splendor dim.

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PANAMA, AND JOURNEY ACROSS THE ISTHMUS.

BY AN OFFICER OF THE AMERICAN NAVY.

In looking over my journals of late, my attention was drawn to my notes on Panama, and while crossing the Isthmus of Darien. As this is interesting ground, and the journey having afforded me exceeding gratification, and some little variety of incident, I propose to give a sketch of it. I was one of several naval officers, returning home by this short cut, as it may be called, from the Pacific Squadron. It is certainly an immense saving of distance, and much more pleasant than the voyage round the stormy Horn. After a tedious passage of twenty days from Guayaquil, in the U. S. schooner Dolphin, we arrived at Panama, in the month of February, 1833. The approach to the town is noted for its magnificence,—its large and rounded gulf, studded in every direction with beautiful islands, so appropriately called the Isles of Pearl. The rich foliage and ever-blooming verdure of these little 'Edens,' give them a near resemblance to the odorous and spicy Isles of the East Indies. Throughout the gulf abound, in great quantities, the pearl oysters, in which the exquisite pearl is found, and carried to adorn so becomingly, the fair of every region. The aspect of Panama is old and gloomy, and in this case, appearances were found by no means deceiving. We were detained there a week, and this was full time for us to become well acquainted with its sad condition. As it contains no public lodging-houses, though many wretched establishments, in the shape of eating or coffee houses, we were unable to find proper accommodations, and accordingly, the first night of our arrival, Mr. H. and myself, had the pleasure of sleeping upon the floor of a public billiard room. The next day, however, Mr. R. the acting English consul, (the Consul himself, having died some time previous,) kindly invited us to his apartments, where we were made very comfortable. There was no American Consul in the town at the time, and I have observed in the course of my travels, that when this is the case, the Englishman generally steps forward, and extends his kind agency to our citizens. I sincerely trust that no fault of ours, will ever destroy these kind feelings of our mother country.

The circle of good society, in Panama, is exceedingly limited,—the mass of the population consisting of negroes, natives or Indians, and a mixture of the three races and colors, white, Indian, and black, forming every variety of shade;—this mixture is by far the most numerous class. The state of morals is glaringly most corrupt, and the religion

a mere mummery, being a gross corruption of the Roman Catholic. Sunday is passed in public cock-fighting and gambling of every description;—it is in fact, the day for giving loose to every species of vice and dissipation. At this time the town was considered by the residents to be in quite a healthy condition; but we hardly ever took a stroll in the streets without meeting a funeral, or a corpse laid out and exposed to our sight;—the doors or windows of the house being generally open. We should have judged accordingly, that it was especially sickly, but such is its general pestilent character, that it requires a still greater and more unusual mortality, to give the character of a sickly season. The funeral ceremonies are very curious and characteristic. I recollect one evening, as we were returning to our apartments, we were attracted by a tumultuous noise of revelry to a house in a neighboring street. We entered a room, where a crowd of men and women of all colors, *excepting white*, were drinking, dancing and frolicking, in the most obstreperous manner. We looked on a few moments, thinking it merely a collection of colored gentry, "making a night of it," and being very soon sufficiently amused, turned our backs and were about descending the stair-way, when we observed a woman in a kneeling posture, with a very serious countenance, at the door of the next room. This appeared so incongruous, that we immediately asked her what was the matter; she, without saying a word, but with a very solemn expression, gently pushed open the door. The sight that presented itself, struck us almost with dismay;—it was so utterly unexpected and out of character. Immediately before us, in the middle of the room, lay the corpse of a woman, stretched upon a bier, and clothed in her winding sheet; her arms folded on her breast, clasping a large crucifix, face exposed, two tall candles burning at her head and feet, and one or two women on their knees at a little distance, no doubt relatives of the deceased, seemingly engaged in prayer. Otherwise, the chamber was entirely deserted, and the odor of the corpse quite unpleasant. This sad scene, thus suddenly exposed to our sight, clashed so strongly with the horrid din of sinful revelry, proceeding from the adjoining room, that, for some moments, our minds were impressed with exceeding horror,—the dreadful gloom of death, and the reckless frolic of life appearing in such close and striking contrast. We were told that such scenes were quite common, it being the custom of the mongrel population, to celebrate death in this manner, resembling the funeral wakes of the Irish. At funerals of the better classes, the corpse is carried through the streets in an open coffin, the face entirely exposed. It is escorted by priests in their vestments, and boys in white cassocks, bear-

ing incense, &c., the friends of the deceased follow in procession. At the end of every square or so, the bier is rested on the ground, the procession comes to a stand, and the priests chaunt funeral hymns, sprinkle holy water, &c. The coffin is not closed until when about being lowered into the ground. Priests, when carrying the sacrament through the streets to administer to the dying, are preceded by a boy ringing a bell, and every one drops on his knee and makes the sign of the cross, as the sacrament passes. This custom prevails throughout South America, and I believe all Roman Catholic countries. There was a church situated opposite our residence, and every morning our ears were hailed by the lively tunes of a number of fiddles, unaccompanied by any other instruments. On entering the church to ascertain the cause of this merry music, we discovered that mass was performing without the use of the organ, but the fiddles were kept going with great spirit. The people were kneeling, and apparently very devout, but the tunes of the fiddles stirred in me, very naturally, a spirit of amusement, rather than devotion. Every night, as we passed in the streets, we were attracted by the sounds of music, to the dancing parties or balls of the 'quadroons,' or gentry, that may be called white, but tainted with a slight dash of negro blood. The dancers occupy the centre of the room, and spectators of every description surround them,—it appeared that every body, high and low, had a right to walk in and witness the sport, though not to partake of it. The dancers are always well dressed, the women especially, decked off in the most flaunting style, heads wreathed with flowers, and necks covered with gold and silver chains, for the exquisite workmanship of which, Panama is famous. The quantity of gold and silver among them is quite astonishing; every thing is sacrificed to their vain fondness for these amusements, they will live in a poor hovel, on the coarsest food, in order to be able to sport them on these occasions. Some of these women are quite beautiful, and many of them of such clear and fair complexion, that it is very difficult to distinguish that they are not purely white. They dance, almost without exception, with great grace and elegance; most of them do little or nothing else, so their proficiency is not surprising. Their favorite dance is what is called 'Punto,' which will not bear description, being indecent in the extreme. It is danced among the whites, but not so generally, or carried to such open indecorum. The waltz is the universal favorite, and this they dance in perfection, as is the case throughout South America. They combine it with a variety of graceful and significant figures, which render it exceedingly fascinating. The white population is so comparatively small, and these scenes of the

"mixed gentry" so common and conspicuous, that they necessarily form the leading characteristics of the town. I had the pleasure of meeting with two young men, brothers, and natives of the town, who had been classmates with me at college, in the United States, some four or five years previous. They were keeping house together, in excellent circumstances, and took great pleasure in showing their former schoolmate every attention. I had occasion to remark at their dinners, the custom of seating strangers at the head of the table,—giving them the benefit of carving. This custom prevails generally, and is meant to convey to the mind of the guest, that he is not merely to make himself at home, but to become actually, for the time being, the lord of the mansion. This is certainly well intended, but not so pleasant, and rather awkward for a novice to the custom. The elder of these two gentlemen was about to be married, and consequently in high spirits. His fair one lived directly opposite, and had a tribe of sisters. These I saw several times; they were very pretty, and amiable, and accomplished in music and dancing. For these accomplishments, I must give the palm to the Spanish women in general, over all others. Talking of Spanish ladies, I cannot help paying a tribute *en passant*, to their many bewitching qualities. A South American *belle*, such as I have seen and known in Chili and Peru, with her full dark eyes, rich, sunny, warm complexion,—fine, glossy, jet hair, always arrayed with such taste, and these natural charms so greatly enhanced by a pervading grace, and elegance, and winning kindness, that appear in every accent of her superb language, and every movement of her beautiful person, cannot fail to captivate completely the fancy of a young stranger, especially, if he may have been previously and long, a sojourner upon the rough ocean.

The houses of the few wealthy in Panama, are solidly built of stone, and are comfortably adapted to the climate, being provided with porticoes which protrude from the second story, and which are particularly inviting for the customary enjoyment of a segar and nap after dinner. Each house contains two or three separate families, and among the many poor and the colored population, it is not unusual for one single house to contain as many as fifteen or twenty separate families, the house being large, and each family occupying but one or two rooms at the most.

The government of Columbia was, at this period, more settled than it had been for some years, and they were trying to make the best of this precarious state of quiet. Considering the long unhappy, and turbulent state of the country,—the bad condition of the people at this time is not surprising. I received many long accounts of the battles

that had been fought in the neighborhood of Panama, from actors in the scenes, which made them quite interesting. I am tempted to be rather prolix in my account, and must therefore commence at once my journey over the mountains. Hearing there was an English sloop of war expected at Chegris from Jamaica, Mr. H. and myself determined to cross at once, in order to get passage in her, on her return to the West Indies. We were advised not to start, until there was some positive information of some vessel's arrival, on account of the notorious sickness of Chegris. Our companions remained on this account, but we could control no longer our strong desire to feel ourselves moving homewards. We heard that there was a small American schooner at Chegris, but in the hands of the custom house, some few contraband articles having been discovered on board,—there was some difficulty or doubt, as to the justice or legality of the case, and it was to be decided by a court of law, but as such cases are interminably slow of decision, especially in this part of the world, the young captain had been allowed to cross over to Panama, to make efforts of release from his wretched predicament; and finding no immediate prospects in his favor, determined with true Yankee spirit, to make his escape as soon as possible. He was allowed to roam at large in Panama, but under strict orders to confine himself to the town,—he resolved however to go with us, and made his arrangements accordingly. We were well pleased to have his company, as he had crossed the Isthmus several times, and his experience, therefore, might prove of service. Having made all arrangements, and taken leave of our kind friend Mr. R., we commenced our journey at sunrise upon a charming day. We were comfortably mounted upon mules, and two extra mules carried our baggage. Two mulattoes accompanied us, one in charge of the baggage, and the other to act as guides. We had loaded our pistols, and took care to make them conspicuous; there was little necessity for this, however, as attacks upon travellers had become exceedingly rare at this period. We had not forgotten to put up a small stock of provisions, and were provided with mattrasses strapped upon the backs of the mules. Being in high spirits, and supplied with whip and spur, we made our mules progress through the town at a very unusual rate, to the great amazement of our muleteers, who always take it on foot, and of course never expect to go out of a walk. At the suburbs of the town we were joined according to appointment by our friend the captain. He was mounted as ourselves, but was troubled with no baggage, the custom house officer of Chegris having, as I have mentioned, politely taken charge of all such travelling annoyances. Here we came to a halt to wait for our guides, who

had been left far behind, urging on the heavily laden baggage mules—on they came finally, puffing, and blowing, and scolding at us vehemently. As they knew the nature of the journey would soon check our ardor, they were easily pacified. The rise of the mountains on the Pacific side, is abrupt, and commences immediately on leaving Panama. We found the ascent for the first two or three miles gradual, and the appearance of the soil very rich; trees and thickly matted shrubbery abounding in wild luxuriance. After this, it became more abrupt, and barren spots here and there, began to indicate a decrease of fertility. Although the ridge we crossed is exceedingly rugged, and abounding in rocks, it is no where destitute of verdure, but its general character throughout, is that of a close combination of rich and rocky soil. The scenery it presents on all sides, is so various and magnificent, that I was made to feel that my mind was never filled until then, with a true conception of the beautiful and sublime. Abrupt precipices of jutting rocks, leaping cataracts, dense forests, deep and dark ravines, are here thrown together in a wild chaos, that certainly afford the most superb and impressive views of natural scenery that the world contains. The path over which we trotted is uneven and rugged, but no where dangerous. Some travellers in their fondness for filling others with ideas of the "many dangers they have passed," have asserted, that they were obliged to cross narrow ledges of a few feet in width, with precipices yawning on each side of them—this is altogether a fabrication of their own, for though precipices abound, they are no where passed at a dangerous proximity. Horses are never used on the journey, as they are not so tough or sure-footed as mules. The quantity of baggage these animals can carry, and the patience with which they bear fatigue, are surprising. We gave them the rein, allowing them to pick their own way. A great part of the path would not admit of two abreast, so we labored on in single file, the guides and baggage in advance, and gained about two miles an hour. At about nine o'clock, we came to a halt in a little valley, or undulation of the mountain, to partake of something in the shape of breakfast. It was a most inviting spot, being a thick clump of immense trees, waving their long branches over a gushing spring, that bubbled its chrystal waters from a cleft in a large rock, the top of which being quite flat, answered our purposes completely as a table. Here on this rock, by the side of this sweet fountain, and under this cooling shade, we spread our simple repast, and commenced to eat and drink with a keen appetite and refreshing gusto, that an epicure might envy. The romantic region and peculiar beauty of the situation in which we found ourselves,

the delicious atmosphere we breathed, and the magnificent scenery that feasted our eyes on every side, all conspired to produce in us a sense of the purest and highest enjoyment. We were thus luxuriating, when suddenly our attention was arrested by the appearance of one of our mules starting back from the limb to which he was tied, with evidences of extreme fright, his startled eyes fixed upon an object at the foot of the tree. On looking, we found it was a large snake coiled up, its head raised, and hissing with its long and forked tongue, in a manner that betrayed hostile intentions. One of my companions having a sword at hand, immediately fell upon it, and with one or two well directed blows, succeeded in killing it. It was found to be full eight feet in length, and described by the mulattoes, who were evidently much frightened by it, as extremely poisonous. Such interruptions are to be expected on these wild mountains, and especially in such fertile and watered spots as the one in which we were placed. On resuming our journey, we found the path became more steep and rugged, as we ascended the mountain. On reaching the summit, we stopped to rest our wearied animals, and to take a last look at the Pacific, before commencing a descent. When it is considered that I had sojourned upon its waters for many months, having crossed over its whole expanse from the East Indies, touching at many of its fascinating islands, it can be well understood that, as now presented to my gaze from this elevated point, and about to take a final leave of it, it was regarded by me with no little interest. Independent of this personal association, my mind naturally recurred to the romantic history of its first discovery, some three centuries back, by one of the companions of Columbus—"Vasco Nunez de Bulboa." The account by our Irving, is beautiful and poetic in the extreme; in fact, the nature of the expedition, in itself so rich in all grand associations and heroic incident, was exactly suited to excite his lively fancy to the highest pitch. It is delightful to dwell upon his portrayal of the sublime feelings which filled the high heart of the noble Vasco, when his romantic labors were so gloriously crowned with complete success, and the first view of this grand ocean so long sought after, burst upon his delighted gaze, and lay glittering in its boundless expanse, far beneath him, at his very feet. Where can we find a scene combining more physical and moral grandeur, than that of this chivalric Spaniard, and his stout-hearted little band, kneeling on this wild mountain top, offering up thanks to the God and Creator of the mighty works before them, for their glorious success in discovering the broad ocean, which they now looked down upon, and which teemed in their fancies with ideas of immense riches and lasting fame. It influenced

my imagination powerfully, when I first read it, and while treading on the same ground, and drinking in with greedy delight, the same gorgeous prospect, it was recalled to my mind with a vividness and fancy, that has left an indelible impression. A peak of the mountain was pointed out to us by the guide, as commanding a view of both oceans, the Atlantic on one side, and Pacific on the other. We should have liked exceedingly to have scrambled up to its summit, but as it was a labor of some hours, we were obliged to give up the idea. One can well imagine the magnificent prospect it must command, certainly superior to any throughout the world.

The descent of this ridge of mountains on the Atlantic side is very gradual and easy; so that the view of this ocean, as first presented to us, was unlike that of the Pacific, which lay spread out almost immediately beneath you, but appeared faint, far in the distance. We hailed its waters with great delight, for we considered it, as it were, our own ocean, from which we had long strayed, and for which we felt native pride and affection. It brought with it home feelings, which to the wanderer are always most grateful.

The distance from Panama to Crecis is twenty-three miles by the path we travelled, and we arrived there at about 4 o'clock in the afternoon. It is a wretched village, inhabited solely by negroes, but on a charming location on the Atlantic side of the mountain. The river Chegris, upon which we were to complete our journey, takes its rise a little above it. After partaking of a hearty meal with the Governor, (as he styled himself,) of the village, we felt as free from fatigue as if we had been merely taking a ride of pleasure. We were provided, by our friend the Governor, with a hut to rest under that night. It had no floor, as was the case with all, but we managed very well, by spreading our mattrasses upon the earth, and we were soon wrapped in profound sleep. The next morning at daylight, having previously engaged a canoe, we were about making a move from our miserable lodgings, when the black Governor and a posse of his people entered, and desired to see our passports. This was a stumper for us, as we had altogether neglected to obtain them, as we should have done, before leaving Panama. On stating our case, our gentleman Governor shook his head significantly, and said, he was much grieved that he could not permit us to continue our journey, as particular orders had been lately received from head-quarters at Panama, to be very particular on this point. We were startled at this, as the idea of being obliged to return to Panama, was by no means pleasant. We found talking of no avail, and were almost in despair, when my naval companion, who is somewhat of an

original, bethought himself of an expedient that answered admirably. He opened his trunk, from which he drew his naval dress coat, which he put on, then his sword which he belted to his side, and finally he pulled out from among his papers his warrant in the Navy, quite an important looking document, with the great seal of state, and signed in full by Andrew Jackson, President of the United States,—he held this up before them, and proceeded to expound, in a very emphatic manner, that it alone was his passport in every part of the world, and that no power had a right to detain him. They were completely overcome. The astonished Governor made a profound bow, said that he was perfectly satisfied, and begged that he would not think ill of him, for having given us unnecessary trouble, in the performance of what he considered his duty.

I have no doubt, the singular appearance, and earnest manner of my fellow-traveller, who wore a long beard, *a la Turque*, and possessed a very grave expression of face, had much more effect upon him than the little he understood of what was said. As it was, the change affected was so complete that no more questions were asked, so that both myself and the captain, who had been especially alarmed at the detention, were allowed to pass, no doubt as belonging to the suite of our friend, whom they evidently considered as some personage of immense importance. We were much relieved when we found ourselves fairly clear of the street, and gave way to a burst of merriment at the ludicrous manner of escape from an awkard predicament. The canoe in which we were paddled down the river, was very light and frail, being composed of the trunk of a single tree, and scooped out. The baggage with ourselves, and the two paddlers, made quite a heavy load, and it required extreme caution in moving, to avoid destroying the balance, and upsetting the whole concern. We were obliged to keep in the middle of the stream, on account of the greater depth, and to obtain the full benefit of the downward current, which makes at the rate of about two miles an hour. We were thus exposed to the rays of a scorching sun, which were extremely uncomfortable, especially, as we were tantalised as we passed, by the constant view of immense trees and thick foliage, which overshadowed the banks of the whole river. We passed one or two little dirty negro villages, otherwise the country was quite deserted, with no signs of cultivation. The stream is very shallow and devious in its course, and averaging about fifty feet in width. It required great care and skill on the part of the paddlers, to avoid the numerous snags and rocks, which obstructed our course, especially for the first twelve or fifteen miles.

We hauled in to the bank during the day, for about two hours, to partake of food, and to obtain some respite from the hot sun, and during the night we stopped for about four hours at a miserable hut in the neighborhood of the river, to gain a little sleep. At about 10 o'clock, the next morning, we landed at Chegris,—and were infinitely relieved in getting rid of the canoe, in which we had been confined as in irons, for so many hours, and suffered so much from exposure. Our journey from the Pacific to the Atlantic was thus completed in the space of little more than two days, having stopped on the way as much as twenty hours; the time required to perform the actual journey, therefore, would not amount to more than thirty-six hours. The very irregular and devious course of the river Chegris made the distance we passed over upon it amount to fully as much as fifty miles; although the direct distance from Crecis to Chegris, is not more than twenty miles. The practicability of cutting through this part of the Isthmus, and thus uniting the waters of the two oceans, has been much discussed;—it would certainly be a stupendous undertaking, but the immense advantages to be derived from it, are well worthy of the great labor, time and expense, which it would cost. It has been stated by some, that the waters of the Pacific are considerably higher than those of the Atlantic: if such is the case, it would of course be a serious objection, as fears would be entertained of raising the Atlantic in such a manner, as to cause a complete overflow of the West India islands. The great difference of the tides of the two oceans in this latitude, is certainly very extraordinary. That of the Pacific, has a rise and fall of as much as thirty or forty feet, while the Atlantic, not more than three or four. The height of the ridge of mountains we crossed, is not so great as is generally believed, the chief difficulty in cutting through, would be the nature of the soil being so rocky. As it is, I have strong hopes of seeing the work undertaken one of these days, and trust and believe, that complete success would attend it, if properly conducted; and I have little faith in regard to the consequences that are apprehended by some, to ensue from the different heights of the oceans.

We were much disappointed at not finding the expected English man-of-war at Chegris. After a detention of five days, we took passage to Kingston, Jamaica, in a small schooner, commanded by a negro. The remainder of our party had joined us, and we were well pleased to get off even in such a miserable vessel; as the living in Chegris was equally uncomfortable; being a wretched village, inhabited solely by negroes. In fact, no white man can stand the climate, a pestilent fever prevailing throughout half the year. We arrived at Kings-

ton in ten days, and from thence took passage in a packet ship for New York. After a pleasant passage of a fortnight, our hearts were gladdened by our treading once more the shores of our own "glorious and happy land." W****.

SONNET.

UPON SEEING A PORTRAIT OF RAPHAEL.

Well have they called thee, Raphael, divine,
And were thy works to perish from the day,
Still if this counterfeit of thee should stay;
I would believe the name was rightly thine,—
Upon thy brow the light of thought does shine,
Mingling with calm benevolence its ray;
The freshness of thy lip is sweet as May,
As tho' thy work were roses to entwine.
All sweet expressions love to kiss thy face
And linger still around it—from that eye
Imagination radiates into space,
Making the blank, dull waste of vacancy
Lit up with forms of beauty and of grace,
Which scarce thy pencil's wondrous power could trace.

D.

SONNET.

WRITTEN ON A BLANK PAGE OF WORDSWORTH, IN WHICH A LADY HAD PRESSED WILD-FLOWERS.

More fitting place for flowers could not be found,
Than where, like these, doubly embalmed, they lie
In their own sweetness and sweet poetry,—
Regretting not their youth or natal ground,
Nor sighing for the modest dreamy sound
Of meadow-brook, that scarcely seen, slipt by
Among the grass that hid from careless eye
These very flowers, tho' air was perfumed round;
But one, whom sympathy had taught to find
These lovely sweet-breath'd darlings of the field,
From the rude ruffling of the autumn wind
Snatched them, a dearer, nobler home to yield,—
And to these leaves the' adopted children brought,
Amid bright flowers of immortal thought.

D.

SCENIC AND CHARACTERISTIC OUTLINES OF CONGRESS.

No. II.

Henry Clay, of Kentucky—Thos. H. Benton, of Missouri—Jno. M. Niles, of Connecticut.

Mr. CLAY is known abroad, at home, every where—wherever eloquence has an admirer, genius a friend, or patriotism a sympathy. He is a man peculiar and powerful, with a mind based upon its own individuality, its originality, its apex. Born without wealth, and when the means of education were rare and difficult, he has risen upon the simple impulses of his own merit, and by means of the form of government in the midst of which he was placed. Learning has not been the idol of his worship, and the Egeria wooed by him, has been *Fact*. Mr. Clay would have been any thing but a practical man, under any other form of government. He never would have been aught but a friend to the plainest form of policy, for he is republican in the broadest acceptation of the term. His manners are republican, his appearance popular—his life is a consolidated statue built and fashioned according to the republican taste.

Mr. Clay is pre-eminent for his vivacity of mind—it is quick as the lightning. Had he been a hard laborious student, he never would have been a successful man—it was necessary that his brain should be comparatively untouched by the ancient opinions of others, that it might work out its own ideas, and be adapted to the unhistorical system of liberty in the United States. Many years hence, our statesmen will have to be thoroughly educated—they will have to deal in abstractions and deductions from a record of the opinions of past times. They will have lost sight of those simple landmarks, that are now perceptible above the soil of our republican plain, but in the lapse of time the sand drifts of doubts and quibbles, the personal interpretations of ambitious men, will rush over the landscape, and cover for ever those signs that should in fact, never be obliterated. Now, in these early days of the country, ere yet the earth is dry from the blood of those who sealed the victory of the Revolution, the Constitution, and the laws growing out of the Constitution are plain and amply perceptible to honest eyes. Now it is not necessary, though it is too often done, to go through the precedents of other governments, to establish the usages or explain the meaning of this, because no precedent can fully apply to a form of rule, that has never had its prototype. Evil will be

those days of abstractedness and metaphysics, when sophistry shall explain the furrows made by the fleeing foe, upon the steeps of Bunker, and the antiquarian, with a treaty on ancient fortifications in his hand, will trace out the redoubts and battle marks at York Town. Evil will be those days, for then the spirit of the exact truth will be eternally concealed—the sublime spirit of our present, to them will be the voiceless past, as powerless as the cloud shadows that will darken the ancient volume held in the hand of the enquirer. An educated politician, that is, one deeply read in the minute policies, and histories, and biographies of ancient nations, and contemporaneous nations, as remote from our sympathies as dead worlds, by the adverse character of their system, will be blinded by the entangled web of axioms, that are sanctified to his conception by the rottenness of age, and he will apply the ostracism of Greece, to the impeachment of the United States, and from the stubborness and devotedness of scholarship, will clothe the existing circumstances with the panoply of antiquity, like a beauty of eighteen, invested in the uncouth garments of the reign of Queen Ann.

Precedents are dangerous to our government. The Expunge Act may hereafter justify the erasement of the Constitution, but the spirit of precedents should never be parted with. In its disembodied essence, it is the conservator of peace and law, in its actual applicable form, it may be invoked to sanction the murder of a magistrate, or to preserve the head of a traitor. There should be an even philosophy, or a common ordinary practice, to form the blood and spirit of our political action, that should be laid down and established permanently upon the face of our institutions, like the great wall of China, and that would guard us against the charge of unfairness, of inconsistency, and also from the dangerous inroad of the Tartar host of precedents. We have been led into these remarks, by contemplating the character of Mr. Clay, in a true and faithful spirit of criticism. He is to our mind, peculiarly adapted to the genius of his country—he is comprehensive in his ideas, cognizant of the whole history, how brief, but yet how glorious, of the country, and he is wise in applying that knowledge to the emergencies of the present. He is seldom or never driven beyond the natural limits of the States, for parallel cases, and when in doubt, he is not in the habit of fortifying himself with the scales of ancient armour. His great reliance is in the strength of the principle of liberty, which, under various guises, enters by almost innumerable avenues into the discussion of public affairs, a sort of universality of republicanism, that fills every department of the public mind, and which he is almost daily called upon to speak of and defend.

As a debater, Mr. Clay's forte lies in the readiness with which he assumes his ground. He sees with the eye of an eagle, the subject matter before him, and he rises and ascends on wind-beating plumes to the face to face view of the topic. With a voice rich and voluminous, he adds a figure of commanding proportions—he is upward of six feet in height, slenderly made. His head is large, and the forehead lofty and broad about the top of the temples, indicative of expansive and beautiful organization of mind. His logical faculties are not so powerful as the comparative and combining faculties, a fact developed in the happy illustration of his subject. Mr. Clay is a man of unconquerable industry, a practical, business kind of industry, which never fails to leave its possessor in the command of innumerable and necessary facts, and none other,—for an industrious man is an economist of time and labour. His voice is deep and susceptible of complete control, and is managed only in obedience to the idea. His eyes are grey and strong—full of authority and command, and not destitute of an exquisite glance of brimming humour. In manners he is graceful—easy and sociable, but dignified. In private life, faithful to his friendships, and fond, or formerly so, of all amusements. As a citizen, Mr. Clay is a model. He is a debt-payer. Many years ago, he became involved on account of securityship, the Tarpean rock of the generous, and he immediately mortgaged all his property to the Bank of the United States, the creditor, and re-entered into the practice of the law with renewed ardor. He asked no one to befriend him with his means, but by his own ability he paid off the debt, and once more breathed the free man of the West.

As a farmer, he is as eminent as he is in political life. At Ashland, his estate and residence, near Lexington, can be found the best horses, the best mules, and the best imported stock of every description. Mr. Clay bought one of the Arab horses, sent over by Mahomet Sultan to his brother monarch, Jackson, and which the latter sold at public auction, while engaged in the process of cleaning out the Augean stables. It was a noble sorrel barb, with a bullet wound on his haunches. Ashland abounds in delightful groves, and displays every where evidences of complete management, combined with the most thorough industry.

The West has nurtured Mr. Clay in her bosom—he is the offspring of her hardy policies, and in his manhood, rich, ripe, and valuable—he resembles the qualities and characteristics of that country. The West is the nursery of great *men*. She spreads her regions over trackless wildernesses, and in the solitudes of the sombre woods, the voice of

prophecy is heard to re-echo from the axe-felled tree, or the plash of the adventurer's oar. Activity is there the inspirer. A bustling disposition, attendant upon pecuniary and political ambition, there abides and stimulates to exertion, which, however limited, contains within its essence the germ of further and more extended soaring. One of the men peculiar to the Western country is Henry Clay—he has urged himself upward with a moral and physical courage and constancy, that in themselves mark him with the diamond-flash of genius. Free-hearted, liberal, independent, brave, industrious, intuitive, and patriotic; he combines in his own character the unique features of his section, and represents her high genius, her bold fearlessness in all his actions, in his gesture, in the mighty and musical sound of his voice. There is, in all the graceful manner of Mr. Clay, an abruptness that proceeds more from his nationality or sectionality, than from any caprice of disposition—he has acquired it by collision with the manly society that environed him.

It has been happily said that if the United States was asked, "who would you select to represent your people in Europe, personally and mentally, your manners, your institutions, and your appearance," she would point to the tall figure of Henry Clay as the individual,—to his high and ample brow as the representative of the solid good sense, and to his flashing eye, dauntless in all perils, as the emblem of the sturdy and mascular intrepidity of her people.

At the present moment Mr. Clay stands aloof from the political enterprise in which his name is so conspicuous,—he is reserved to those who would converse with him on that topic, and interferes not personally either for or against the nomination to which he now seems destined. For ourselves, we have never conversed with him on any subject, and what we here say is the result of a rigid and patient investigation of his character; for years we have made him our study, and that character, written after so many pages of histrionic glory, is known by the people whom he has ever served.

On the opposite side of the Senate, with a quizzing glass, through which *he does not look*, and pamphlets and public documents piled up around his desk, in all the consequential array of type and ink documentary erudition, our eye falls upon the square formed figure of Thomas Hart Benton, of Missouri. For years he has sat in that same seat, a sort of fixture in the Senate, that nothing can remove—an excrescence upon its dignity, that fate itself, in a freak, seems determined to uphold. Mr. Benton is a singular character, and deserves from the attitude he holds to the destiny of the country, a particular notice at

our hands. We approach the discussion with other feelings than those of pleasure. It is not as a party man that we shall undertake his likeness. He is, in the ferocious ambition that stirs within him, any thing but a special party man, in the strict subservient sense of that term. At times he bows his head meekly to the cunning influences of party dictation; but never for one moment does he permit the arrow-thought of his wishes to bend to any other object than its original flight.

His ambition has developed itself more within the last few years, and possibly it never would have assumed a practical shape, had it not been for events that we shall hastily enumerate. He had originally formed to himself the dream of the Presidency, but it is impossible that he then could have set his aim distinctly and unwaveringly upon it. No Lucifer that ever fell knows his own character better than this gentleman. He knew his want of moral influence, and he could not disguise from others the features of his soul. To come out openly from the madhouse of his desires, would have set the public vigilance upon him. He would never have been suspected of virtue, but hunted as a maniac usurper. But he waited amid the large herd of demagogues, contented with the idea that his heart had been magnanimous enough to aspire to a lofty place.

His industry, extraordinary and herculean, came, unknown to him, to his aid. Under its heavy banner he walked the Congressional Library, and book after book was devoured, not to benefit the broad bright institutions of his country, but to minister to the passions of the gloomy Senator. Loaded with a mass of confused knowledge, his mind took possession of various departments, and claimed dominion over the abstruse science of political economy. Nothing was digested, nothing clear and wise, but like the documents that surrounded, and still surround, his desk, the folios of the duodecimos, and the learning of the old records, were mingled in confused and babel inconsistency in his brain. Men wondered at the stock of his knowledge, but none ever could feel warmed by the effulgence of his information. His reading, his deep and mighty studies, were but the effects of a morbid appetite, unregulated by any definite good object.

While thus loaded with the weight of his collections, staggering like Silenus, under the wines of many vineyards, the election of General Jackson took place. Mr. Benton was startled from the indefinite to the definite.

A remarkable event had happened; a man without his talents was master of the very point where he had fixed his eye, and he at once perceived that, as one Mahomet had succeeded, perhaps a Sebastiani

Sevi might accomplish the same glory. Then commenced the hardening of every pulse, of every feeling; then the iron grew more compact and solid in his heart; then he threw aside the Constitution—threw aside every bright star of national interest that shamed him by its effulgence, and he stepped into the arena, armed in the mantle of an unsparing and unflinching selfishness. He studied how to impose himself, in the shape of a Colossus, upon the people—he tried every scheme of subserviency to the god whom they had set up; he blackened the fair page of constitutional history; he outraged the sanctity of the national annals; and reckless in mischief, with a pertinacity that was worthy of a holy cause, he endeavored to engraft a pecuniary system upon the country, entirely at variance with its interests. He made his gold currency plan the firm first stepping stone to power.

About this period of his life, Mr. Van Buren became, by a combination of the most wonderful circumstances, Chief Magistrate. Once more the spirit was aroused in Mr. Benton—he again witnessed the sublime accident that had made General Jackson President, and now, with every energy on the wing, with every fibre strung to the endeavor, he fixes his pale eye upon the lofty seat until the blood rushes to his head, his body expands, his eyes reel, and with a hysterical shudder of the head, he poises himself in his chair to stare the gorgeous heaven of his hope that glitters before him. Reader, it is of that high place that he is now thinking, as he sits, with his face flushed and his eye thick, before us at this moment.

He has just risen to address the Vice President. He pulls the sides of his coat down to his hips—fixes his shirt-collar—raises his quizzing glass, that little emblem of his schemes, that are bordered and circled by a golden vision, and with a voice nasal and harsh, he calls upon the President for his undivided attention. If there ever was an unamiable gentleman in this world, it is yonder Senator, who, with sullen and monotonous tones, inveighs against the mills of Quixotte, and splinters his oft-before-splintered lance, against the dust covered flock of sheep. He appears to be in a violent rage. Who has provoked him? who roused the slumbering agony of postponed ambition? who goaded the lion from his tranquil rest? No one! Scared by a chimera, he has sprung upon the floor, and is indulging in invectives and declarations, as bitter in their source as they are harmless in their effect.

We heard Mr. Wise the other night, in his analytic speech upon Swartout's defalcation, utter what we hope may be no true prophecy, about Mr. Benton. He was speaking, among other things, of the Sub-Treasury, and of Mr. Benton's favorite project, and to which he has

sealed, under his own sign manual, his latest hope. "Sir," said Mr. Wise, "I understand that parties are so organized in this house that you expect to pass the Sub-Treasury. Let that measure be forced through a jaded and wearied Congress, and you seal at once and forever the destiny of this country. Let that bill pass, and the result will be the re-election of Mr. Van Buren, and then will come the gloomiest day of all, that dreaded event, pregnant with ruin and desolation, the election of Thomas Hart Benton!"

We responded in our heart, "Heaven forbid!" and had the virtuous people of the country heard that conditional prophecy of Mr. Wise, they would have joined us in that response.

In person, Mr. Benton is about five feet eleven inches—upwards of sixty years of age—livid complexion when his face is in repose—long nose, the Lavatar organ of despotism—sharp-pointed chin—light hair—small grey eyes, full of disguise—and body thick and powerfully made.

He is extremely awkward in his manner, and harsh in all his gestures; his voice is peculiarly unpleasant.

Mr. Benton has a peculiar way of avoiding the appearance of listening to the speeches of Mr. Clay. There is no man on earth that he hates so intensely as Mr. Clay; and when that gentleman is on the floor, pouring out his sarcastic sentences, Mr. Benton takes up a newspaper and pretends to read; a very shallow shift, for we have watched him, and for an hour he has kept his eye on a single column. His ear was taking in every word that fell from Mr. Clay, whom he had not the magnanimity to treat with even parliamentary politeness—that cheapest act of Congressional civility. As Mr. Clay is the representative of the philosophical, the spirited, honorable, the industry, and bold independence of the West, so Mr. Benton is the representative of a peculiar class of adventurers who, aliens to this country by birth, flock to the regions of the West, and make it, in too many cases, the scene of their national broils and combats. Farther than this, we will not run the odious parallel.

Leaving this description, which we might amplify, and which duty almost forces us to amplify, we will proceed to game more innocent.

I almost fancy that I hear pins drop from ladies' bodices, as the Ajax of his party, sandy-haired Niles of Connecticut, picker of wafers, rises to wink at the Vice President. Mr. Niles has been suspected, Mr. John M. Niles, we should have said, of being a thorough-going party man. We must confess our inability to deny this common belief, never having witnessed anything like independence of party in this renowned orator and statesman, since his entrance upon the patience of the

American Senate. "Who is that small man standing now before Mr. Brown of North Carolina, and who has just arisen?" exclaimed some one in the gallery. "Who? That little man with yellow plush hair, combed back like the hair of a medal face, with doughy flesh that seems as if kneeding had been a process of centuries upon that Indian-wrinkled, parchment countenance, not to leave out the eye, the curious, the solemn, the oysteretic, the plumb-colored eye, that looks up from beneath fat wrinkles, by anatomists called lids, and with neck-cloth as if an enraged cook had bound up the august Senator in his clothes of office; black coat, black vest, and black unmentionables; is that the individual you allude to?" "Yes, sir." "Why, then," said we, gazing intently upon the object of so much rational, not national, curiosity, "that, yes, that individual revels in the selfish luxury of being called Mr. Niles, Senator from Connecticut." "Did you ever hear Mr. Niles speak?" asked we of our excited companion. 'No, never, on my honor.' "You amaze me, but you have heard of his speaking?" "Never, I assure you, sir." "You are quizzing me, sir, you surely have heard of the great Mr. Niles' speeches." "Ah, yes, I do remember that lately I was in a trunk factory————————" "Ah!" interrupted we, "enough—we understand—they were packing up his speeches to send to Europe—really capital, a most famous way, of lauding our public characters in these trunk makers—they do, indeed put a lock and key on the thoughts of greatness, preserving them for the silent contemplation of over-awed posterity and trunk-picks." Our friend did not hear us, for he was listening to the very gentleman himself, the voluble Senator, the "vox et præteria *nihil*." It seems that Mr. Clay had said something rather severe, and as Mr. Niles was leaning his classic head upon his classic hand, in all the grace of sentimental-politico-pecuniæ contemplation, the shaft of his wit struck just between the ribs of magnanimous old Connecticut. With a bound and a spring, like a lion from his lair, turned the chivalrous man, and picked up from the box before him a pen: he then looked knowingly at the Vice President, as much as to say, "look to it bottle holder;" and then, as he pulled his valuable body up by the flaps of his breeches pockets, he popped out a sentence remarkable for cogent simplicity and brief dignity: "Mr. *President!*—Sir—Mr. President!"—picking up a wafer and looking it full in its red face, "the honorable gentleman from Kentucky, Mr. President, has made an attack upon the Administration, Mr. President, and I feel myself *bound* to reply," &c. &c. He may be bound to reply, but mercy take the party that depend upon Mr. Niles for a rescue.

In attitude to the party to which he *belongs*, yes, *belongs* is the word, he is rather an important character; he is willing to go and come, to carry and fetch, to growl when necessary, and to do anything that is necessary for the good of a Jacobinical party.

We feel for Mr. Niles' situation; there is something melancholy—heart-rending—tear-producing, in the fact that he is the most unhappy of human beings—the most perfect martyr to the liberty of speech, that ever drew his breath between meat-cutting teeth. Why is our yellow lock'd friend melancholy? Is it because he has never been nominated by a temperance meeting, or an abolition society, or a Sunday school class, for the Presidency?—or is it because the Whig press make it a point to attack the unarmed and helpless gentleman, whose parliamentary hands are tied by parliamentary rules? Is it because he sometimes finds himself a little fatigued after an argument against Mr. Clay or the eloquent and admirable Preston? is it because his buckwheat cakes were not as light as they are *Down Yeast?*—or is it because Mr. Niles has not as yet shaken hands with "mine ancient Pistol," from the *Salt licks* (rather the Morris *licks*) of Missouri? No! none of these evils weigh at this moment so heavily upon the mind of our worthy friend. The fact is, he cannot call the *previous question!*—"There is Cushman," communes our Niles, "he can keep those infernal Whigs silent when he pleases—glorious prerogative of bold, liberal hearted Cushman, to pop his head up like a gag machine, and, in automatical voice, to call for the "Previous Question."

Mr. Niles is thoroughly and despotically a partisan,—he glories in the privilege of political stubbornness,—he models himself after the animal of Balam, even when he speaks,—he is in good truth a very curious physical and mental conformation,—an anomaly,—a positive affirmation of what he is in fact, and a direct negative of what he would appear to be.

Mr. Niles has added another laurel to his already heavy chaplet. He has, in a spirit peculiar to the present self-styled democracy, made an attack upon the press. He has declared himself its antagonist, and though we have made this attack the subject of a particular paper, "The Senate and the Press," we cannot but enter here the protest of *a press* against the sublime denunciations of this accidental great man. Have we in this country come to the crisis when the press shall be denounced by such men as Mr. Niles?—are they to be allowed to trample upon its lightning, and to clash their trembling and withered arms around the neck of its eagle? Will the philosophic spirit of Republicanism stand coldly by and witness the aspersions of worthless

men, cast so unsparingly upon its chiefest agent? In times to come, if these attacks are permitted, the liberty of the press will be subjected to law framed by men who fear its chastening arm, and not by those who reverence its protecting attributes. The contemptible habit, so rife among our congressional debaters, of abusing the American press, should be met at once and stopped upon the threshold.

We of the press, who have in one way or other contributed to their fame, without whom they might speak forever, but never afterwards hope to win the memory of other times, or the admiration of other nations, are strong enough to strangle the serpent. Let such men as this Mr. Niles be subjected to the strictest scrutiny—let all his public acts be watched—and let all his moral delinquencies be lashed, until in the dust and ashes of our vengeance he shall admit that the free press of a free people, is not to be abused by such as he.

TO MARY.

Without thee, what would life have been?
A dreary path benighted,
Where thro' the forest's gloomy screen
A casual star might just be seen,
Then fade—a hope soon blighted;

A polar winter, where the sun,
Full light and heat denying,
Makes day and night both seem as one,
While in the twilight pale and dun
The universe seems dying;

A sea without a shore, where sails
A lonely ship dismasted;
Now vexed and driven by the gales,
Now rotting, when the calm prevails,
The furious storm outlasted.

For those my early youth had loved,
Too soon reclaimed by Heaven,
My love a weary wanderer roved;—
I thought my heart could ne'er be moved
To give what it had given.

And desolate had been my lot,
  Unsympathized and cheerless,—
But Heaven sent thee, who art—if not
A saint, without an earthly spot—
  'Mongst mortals surely peerless;

What once was gloom is brightness now,
  My path with flowers cheerful,
And thousand hopes their starlight throw
Around me while with thee I go,
  Of ills no longer fearful.

The sun on polar regions bare
  Has looked—the shades are daunted,
And snow, and ice, and frozen air,
All seem a gorgeous robe to wear,—
  A radiant world enchanted;

The vessel sails on friendly seas,
  The bright waves gently kissing,
Her native bay and port are these,
To which she hastens with the breeze,
  Whence she has long been missing.

Her choicest blessings on thy head
  Be showered! my kindest Mary,
For now my heavy griefs have fled,
And joys from thee have come instead,
  Thou sweet light-hearted fairy.

D.

TO A LADY WHO MENDED MY GLOVE.

In times of old, when lady fair
  Would give a pledge of love,
Her gallant, faithful knight to cheer,
  She threw to him HER glove!

But chivalry is dead; and now,
  A lady's favored friend
Is happy if, with willing smile,
  She'll take HIS glove to mend!

THE DELUSIONS OF SCIENCE:

BY CALEB CUSHING.

FIRST PART.

It is the familiar fact, continually present before us, that individual men, like the monuments they construct, are subject to decay with time, and to pass away into the dust out of which they sprang. It is equally matter of common observation that, as man enters into the world alike feeble in body and ignorant in mind, so in the progress of years, if well employed, there comes experience, knowledge, wisdom. But these homely truths are singularly confounded and misapplied, in the ordinary reasonings of mankind, who, when a comparison, or supposed similitude between things, suggests itself, are prone to follow it up, blindly and unthinkingly, into conclusions the most false and absurd.

Thus, we hear continual talk of venerable antiquity, and of the wisdom and experience of the past, as if remote times were the true oracles of age. Whereas, in truth, the passing age is older than all that have passed; and the present, not the old time, is the only matured and experienced epoch of the world. Nor, though so commonly suggested, is it the fact that extravagances of opinion are more prevalent now, than they have been in other ages. There were strange ultraisms then, as well as now; and the extravagances of animal magnetism and of phrenology may be paralleled by similar absurdities of past generations. For, in respect of knowledge, ancient times are the infancy and youth, modern times the manhood of the human race.

Meanwhile, on the other hand, whilst in questions of experience, the cry has always been "go to the past, to hoary and reverend antiquity for knowledge,"—yet in regard to public institutions, we frequently hear persons broach an idea the reverse of the first, and speak of the inroads of time upon civil establishments, as if these were a man, to run the appointed course of vigor, decline and death. This application of analogy is equally unsound with the other, although of the opposite character. Experience accumulates knowledge; and, therefore, a succeeding age is, in the general, and except in the rare and temporary contingency of great disturbing causes, wiser than its predecessor. Furthermore, civilization, the state of mankind as to social institutions

in the general, is on the whole onward, advancing, progressive, and not, like the individual man, the necessary subject of natural decrepitude. One of us may weary of an exertion; but it is not so with successive generations; for how can the living creature weary with the same weariness which affected his progenitors a hundred years back? Men die, but the race lives on, with perpetual renovation of moral and physical vigor; just as the bounteous earth repairs her verdure and beauty in the never-ceasing revolutions of the seasons, and the bright stars pass and repass before us in their celestial orbits.

Though it be confessed, therefore, as it needs must, that all the forms of society are liable to change, yet, since we have no cause to consider that change as regulated by the fixed law of natural growth and consecutive decay, which applies to the case of individuals; or rather, since the institutions of society, like the refluent waves of the sea, if they flow back occasionally for a time, do speedily return to leap onward again with redoubled force; therefore we should pay no heed to the bodings of apprehension drawn from any past fortunes or misfortunes of art, or science, or government, but, on the contrary, hope and strive to transmit to other times the heritage of civilization confirmed and improved by ourselves. Thus only, by endeavoring, through the cultivation of the public and private virtues belonging to our several stations, to enlarge the patrimony of liberty and knowledge devolved on us by our fathers,—thus, only may we, in our social relations, discharge our duty to ourselves, to our country, and to our God.

For, superior in knowledge as each succeeding age usually is to that which went before it, the superiority consists chiefly in the increased means and subjects of knowledge. The immortal mind is the same to-day that it was yesterday; the faculty of knowledge and of thought is through all ages in essence one, diversified as may be the gifts of individual races or men, and the acquisition of successive epochs. Nay, the same fallacies of reasoning are continually recurring upon us, in spite of the new stores of knowledge which time heaps up in its progress, and notwithstanding the errors of our predecessors, which rise before us, like wrecks in the pathway of the mariner, a beacon and a warning to all who come after. As we sometimes rediscover facts, processes of art, and principles of science, known of old, and then for a while forgotten, so we not seldom revive and readopt the exploded absurdities of past times.

We see this exhibited most remarkably in the misdirection of aim, which the human mind is prone to fall into, and the consequent errors

of opinion which prevail. As the known is divided from the unknown by boundaries that are invisible, so the positive in science is intimately associated with the speculative, the imaginary treads closely on the real, and the delusions of charlatanry or of the fancy never cease to assume the garb and usurp the place of true philosophy. It was so formerly, it is so now. It may be useful to select for particular illustration some examples of this, on account of the important lesson they teach.

There is no department of knowledge more interesting or beautiful in itself, or more valuable in its application to the uses of life, than the science of astronomy. Beginning with the time when this humble earth was regarded as the centre of the universe, when the stars above us were in idea but so many sparkling lights sprinkled along the expanse of the sky, as brilliants on the earth's jewelled canopy, when the glorious orb of the sun was held to shine only that we might have light,—from these elementary perceptions of the senses, the science of astronomy has marched on, adding discovery to discovery, and truth to truth, until, not only are the celestial bodies of our own system, their magnitude, their distances, their movements, their relative action, understood and measured with all the mathematical precision of geometry and algebra, but we are gradually proceeding to examine and apprehend the phenomena of the remote stars, the suns of other systems, thus grasping the infinite of eternal space in the comprehension of our knowledge. Noble and sublime study, which thus enables man to weigh the earth as in a balance, and which, while it guides him in his journey on the trackless ocean or the pathless desert, elevates his mind to the fit contemplation of the infinite and eternal One!

What is the science of astronomy? It is the science of the stars. The name carries the meaning along with it. But, in its primitive meaning, astrology is also the science of the stars. It is true, we apply the word *astrology* at the present time to a false science, founded on the belief of an association between the combination of stars and the destinies of particular men or nations; a belief banished, now, from the realms of science to those of poetry and of superstition. And yet astrology and astronomy went originally hand in hand; or rather astrology was the only astronomy. Nay, the exact and positive science of *mathematics* became at one time absorbed in the delusions of astrology. We read (Tac. Ann. ii, 32; Suet. Tib. 36) that one of the Emperors expelled the *mathematicians* and *magicians* from Italy; and Tacitus (Hist. i, 22,) referring to the trust which another of the Em-

perors reposed in the *mathematicians*, calls them 'a class of men faithless to princes, and deceptive to all who confide in them,' ('genus hominum potentibus infidum, sperantibus fallax.') Centuries elapsed before the ideal and the actual in this department of knowledge came to be clearly defined and well distinguished, one assuming the name of astrology, and the other that of astronomy.

To say nothing, at present, of the statesmen and generals, who have allowed themselves to be guided and governed by the mysterious predictions of mountebanks, who pretended to read in the planets the decrees of destiny,—great names are not wanting,—names scientifically great, which have lent countenance to the fables and false pretensions of astrology. Thus, among the eminent astronomers, Tycho Brahe, firmly believed in it; and Kepler did not wholly free his mind from its influence. And Sir Francis Bacon himself, while at some times he doubtingly condemns, at other times doubtingly admits, the influence of the stars over the dispositions of men and the revolutions of empires. (Comp. l. 3, c. 4,—l. 6, c. 3,—and l. 7, c. 3, De Aug. Scient.)

Indeed, there is much more of plausibility, or rather more of room for misdirection of the mind, in the arts of astrology, than there is in many similar delusions of the present day. Superficial inquirers, men of loose habits of reasoning, credulous minds, minds given up to imaginative tendencies, could easily, in the infancy of science, and before the rigorous processes of inductive philosophy were adopted, slide into error in this matter. Look at the science of the stars, in the large import of the expression. You perceive it has a vastness of scope, and, at the time when the laws of gravitation were not yet known, an obscurity of relation, wherein falsehood and sophistry could well make to themselves a hiding place. At that period, also, in the study of the heavenly bodies, sciences totally distinct in principle were confounded together, as happens now in phrenology; and the facts which belonged to one division of knowledge, being embraced in the general terms appropriate to another, the reason became confused in common with the language and the facts which it dealt with. These considerations account for the confident reception of astrology by some men of science, and the hesitating rejection of it by others, who, as Sir Walter Scott remarks, either durst not at once shock the universal prejudices of their age, or themselves were not altogether freed from the contagion of a prevailing superstition. (Guy Man., c. 4.)

Thus, it was seen that the changes in the seasons, and of day and night, were dependant on and measured by the revolutions of the sun

and moon; and that variations in the temperature, gravity, and movements of the atmosphere, the ebb and flow of the tides of the sea, and the growth of the vegetable products of the earth, were traceable more or less to the action of the same great luminaries; and as the unknown has at all times infinitely exceeded the known, it became easy, if the mind once permitted itself to break away from the steadfast moorings of positive knowledge and of actual facts, to lose itself utterly in the fathomless and boundless ocean of conjecture; and in this way, having ascertained the influence of the heavenly bodies in some things, men readily jumped to the preposterous conclusion of their influence in all things, so as to confer on the planets the dominion of the moral as well as the physical world. In the same way, perceiving that various functions of the animal economy have relation to the sun or moon, that light acts on the mind as well as the body, that climate, and other modifications of atmosphere or natural planetary action, greatly affect the physical and moral condition of individuals and of nations, it was inferred by stretch of analogy that the planets and stars, which in these respects acted visibly on the character, might and did posess in other respects a mysterious connection with the life and actions, and that the predestined fate of men was written and by the skilled eye might be read in the bright leaves of the starry book of 'the poetry heaven.' And the first pretence of astrologers to predict future events would be the more readily received by ignorant and barbarous nations, who saw, without comprehending, their foreknowledge of eclipses

These were the facts, or philosophical considerations, by which even scientific men, or at least men who professed to reason scientifically, deluded the less-informed of their fellow-men, and sometimes cheated themselves, into the belief of judicial astrology. But the belief had a deeper source than fact or philosophy, in the superstitious tendencies of the human mind; in the uncertainty of life, and its vicissitudes; and in the anxiety of men to pierce into the darkness of the future, either for the means of guiding their present actions, or in obedience to the natural yearning of the heart to explore the mysterious and the unknown.

There is a curious passage in Tacitus, which illustrates this. His words are: "The Emperor Tiberius, being in conversation with Servius Galba, at that time Consul, finally said, addressing him in Greek, 'And thou, Galba, shalt hereafter at length taste of empire;' predicting his late and brief reign, by his knowledge of the art of the Chaldeans, for gaining which he had leisure at Rhodes, and Thrasyllus for teacher,

having proved the skill of Thrasyllus in the following manner. When ever he conferred with any one on this subject, he employed an elevated part of his house which overlooks a precipice, and the concert of a single servant, who, ignorant of letters, and of strong body, proceeded along the by-paths and cliffs before him, whose art Tiberius might wish to prove, and on returning would throw him into the subject sea, to suppress all evidence of the mystery, if Tiberius detected any sign of falsehood or fraud. Therefore Thrasyllus, being led along the same rocks, after he had roused Tiberius by adroitly upholding the empire to him and other future things, was asked, whether he had also computed his own natal hour, and if so, what the present year and day portended. Thrasyllus, having measured the position and distances of the stars, began to hesitate, then to tremble, and as he looked further to be more and more filled with wonder and fear, and at last exclaimed, that a doubtful and almost fatal peril impended over him.—Wherefore Tiberius embracing him, congratulated him on his prescience and promised him safety; and receiving what he said as the words of an oracle, had him thenceforth among his intimate friends. But I, continues Tacitus, hearing these and the like things, doubt within myself, whether human affairs are turned by fate and immutable necesity, or by chance. For you will find the wisest of the ancients, and those who emulate their sect, to differ; many of them entertaining the opinion, that neither our beginning, nor end, nor indeed men in any way, are cared for by the gods; and very frequently does evil fortune attach to the good, and prosperity to the bad. Others, on the contrary, think that fate accords with events,—not in obedience to wandering stars, but to the principles and connections of natural causes,—who yet leave to us an election of life, which being chosen, there follows a fixed series of incidents; that good and evil are not what common men think; but that many, who seem to be in conflict with adversity, are happy, and many, in the midst of wealth and power are miserable, when the former support ill fortune with constancy, and the latter abuse their prosperity. Nevertheless, with most men there is no exemption, but that in the very beginning of each his future is predestined; though some things may happen otherwise than they are predicted, by the fallacies of men pretending what they do not know, and corrupt the credit of an art, clear document of which both antiquity and our age have produced. For in due time, it will be related how the empire was foretold to Nero by the son of the same Thrasyllus." (Tac. Ann. l. vi. c. 22.)

Thus far Tacitus. The passage is curious in several respects. It indicates the secret influences and the interior workings of the human mind, its reaching forth into futurity, its vain efforts to grasp the mysteries of that preordination of Providence which over-masters the affairs of the world. It points, also, to the early cultivators of astrology, in calling it the art of the Chaldeans. *Chaldæorum ars.* Indeed, all the Greek and Roman writers concur in training the science of astronomy, and with it astrology, to Egypt and Chaldea. In which nation, says Cicero, the astrologers, (*Chaldæi,*) deriving their name from the country, not from the art, are deemed in the daily observation of the stars, to have constructed a science, whereby what is to happen to any one may be predicted, and the destiny under which he was born. (Cic. de Divin. l. i. c. 1.)

On the plains of Shinar, beneath that serene Assyrian sky, as the shepherd watched his flocks by night, gazing on the bright moon while she sailed along the liquid fields of ether, and scanning the stars that twinkled in the blue valt of heaven, and with the revolving hours disappeared and returned again to glad his eyes and to kindle his curiosity he dreamed as he studied, he adored as he admired, and willingly associated his own destiny with those beautiful planets, which seemed to overrule this nether world as they looked down upon it in the divine calm of their own eternal effulgence. To him, the sun was a god, the source of light and heat, the arbiter of human life, the lord of the universe, which held no visible object to match his sublimity and splendor, and that the stars were the ministers of his will, the choired angels around his throne, the celestial companions of his uncreated and inextinguishable glory. Or, in the words of Byron :—

> Most glorious orb! that wert a worship, ere
> The mystery of thy making was revealed!
> The earliest minister of the Almighty,
> Which gladdened, on their mountain tops, the hearts
> Of the Chaldean shepherds, till they poured
> Themselves in orisons!

Accordingly, they propagated the lofty superstitions of the study of the stars, along with its humble truths. Proofs of this occur in that oldest of extant records, the Bible ; and are scattered over the literature of the Greeks and the Romans. 'They fought from heaven,' says the song of Deborah in the book of Judges; 'the stars in their courses fought against Sisera.' And in Job we read: 'Canst thou bind the sweet influences of the Pleiades, or loose the bands of Orion?' And

again. 'If I beheld the sun when it shined, or the moon walking in brightness, and my heart hath been secretly enticed, or my mouth hath kissed my hand, this also were iniquity to be judged, for I should have denied the Gods above.' In pursuance of which, though the devotion of the Jews to the one true God preserved them from the superstitious worship of the sun and stars, which prevailed around them in kindred nations, yet the Egyptians, and after them the Greeks, and so the Romans, proceeded to deify the principal planets, and make them the objects of homage and worship.

Of this, the most obvious, and the purest, of all the pagan superstitions, the belief in a sympathy between the stars and the lives of men, there is a most beautiful illustration, in the fragment of Cicero (De Repub.) called Scipio's Dream, where the younger Africanus is in vision conducted by the elder through the upper sky, to listen entranced to the eternal harmony of the spheres; to track the orbits of the remote stars; to be told of the infinite expanse of heaven which is Deity's everlasting temple, and of the beatified spirits, who, emanations themselves of the light of those undying luminaries, after worthily fulfilling their appointed duties on earth, have re-ascended to their bright abodes above, to look from that lofty eminence down upon this lowly globe, and learn to contemn its poor ambitions and its sensual passions; and thus to fit himself for that high communion of the just made perfect in their immortality before the star-paved footstool of God. Such is the general spirit of this whole fragment, one of the exquisite and eloquent morsels of ancient lore.

Who, indeed, is there, that as he stept forth into the silent night from the revel or the dance, has not said or thought, with Lioni:—

> Around me are the stars and waters;—
> Worlds mirrored in the ocean, goodlier sight
> Than torches glared back by a gaudy glass;
> And the great element which is to space
> What ocean is to earth, spreads its blue depths;
> The high moon sails upon her beautious way;
> How sweet and soothing is this hour of calm!

Who is there, but can appreciate the will of Pythagoras to make the disc of some fair planet the page to write his thoughts and wishes on for the eyes of distant friends to peruse in common with him, as their glance wanders over the same celestial vault?

> Sweet moon, if like Crotona's sage
> By any spell my hand could dare
> To make thy disc its ample page,
> And write my thoughts, my wishes there!—

Who ever glanced at the clear firmament glowing with its host of stars, or the radiant moon, placid, beautiful, fixing the fascinated sight as when we gaze into the fond eyes of one dearly beloved and as deeply loving,—who ever glanced at that bright sky, that he did not feel purified and elevated by the contemplation, and half-believing in the divinity, the mysterious power of the planets, and ready to exclaim with Leicester,—'Ye distant orbs of living fire, ye are silent while ye wheel your mystic rounds, but wisdom has given to you a voice.'

Such are the spontaneous emotions of the human breast. And accordingly the practices of astrology, while they occupied the minds of men of science in less enlightened periods than the present, fixed themselves still more firmly in the popular mind, to gratify which our almanacs still continue to contain futile predictions of the weather.—The same popular vehicles of instruction sometimes contain the table of the zodiacal influences, used of old in the calculation of nativities; and much of the language of those works is derived from the same origin.

Astrology, also, was continually appealed to by kings, and statesmen, and great generals. 'Indeed,' it has been well remarked, 'the wish to pry into futurity, so general among the human race of every description, is peculiarly to be found amongst those who deal in state mysteries, and the dangerous intrigues and enterprises of power.'—Numerous examples exist of politicians and soldiers of the greatest ability and the most material and iron minds in other respects, and that, like the German Wallenstein, in comparatively late times, who have taken counsel from astrology. Such men, habituated to perpetual peril, and in many instances to extraordinary vicissitudes of life, as in the case of Napoleon, have manifested a belief in fatalism, when too wise to indulge in the follies of judicial astrology, or too sober-minded, in the language of Sir Thomas Browne, to swallow predictions, which, considering the independency of their causes and contingencies in their events, are only in the prescience of God. (Vulgar Errors, p. 283.)

Among the old Romans, practical and manly as they were in most things, the same passions prevailed to an extraordinary degree, even before it had astrology to feed it. They undertook nothing important either in peace or in war, without oracles, omens, or divination, to unfold the future to them. They strove to pry into hidden events, by means of the stars, the elements, dreams, the entrails of victims, the flight and the feeding of birds, and many other methods equally ridiculous. Feijoo says there were not less than eighty-two 'divinatory arts' practis-

ed by the ancients. (T. Crit. tom. ii. p. 71.) One of Cicero's most learned books treats of this subject. All ancient history, and the history of all nations, are full of it. How superlatively childish these arts were may be seen by the anecdote of Claudius Pulcher, who, when the astrologers forbade a naval battle in which he was about to engage, because the sacred chickens would not eat, threw the chickens overboard, and said, 'If they will not eat, they shall drink;'—and when he lost the battle, superstition ascribed his defeat to this contempt of omens. (Sueton. Tib. 2.) Scipio judged better, who, stumbling and falling at full length as he landed in the Carthaginian territory, and perceiving the army to be filled with consternation by the omen, with ready wit exclaimed,—'Teneo te, Africa.'—'I hold the, Africa.' Nor is this belief in omens even yet entirely eradicated. Many are the gypsy vagabonds in Europe, who gain their subsistence by fortune-telling. Little books of divination and astrology still have an obscure circulation among the less informed of this country. It is notorious, what a countless number of such puerilities prevail, at the present time, among young persons of either sex, who have recourse to them as tests of mutual love, or as indications of their future matrimonial associations. Large classes of people, too, especially those, who, like sailors, are much exposed to accidents, have implicit faith in many signs and portents, as exemplified in the popular prejudice against commencing a voyage on Friday; though it would seem that the success of Columbus, who set sail on his voyage that day, discovered land in America that day, and reached Spain that day on his return, might suffice to render the very worst of days auspicious of all good omens.

Those impostures of astology, divination, and the kindred arts, maintained their credit through so many centuries, as other like quackeries have done, by the confident tone of those who pretend to possess the art; by the fulfilment occasionally of some of their predictions, either fortuitously, or because the prediction produced its own fulfilment; and sometimes, by the accidental conjunction of great public calamities with the appearance of an eclipse or a comet. The ignorant and the credulous readily forget a thousand failures in their admiration of a single lucky coincidence; and thus delusion retained its hold of men, until it was dissipated by the clear light of positive science.

Early after the revival of letters in modern Europe, there began to prevail another perversion of science, which though of later origin than astrology, obtained for upwards of a thousand years equal vogue with

that, and was frequently associated with it in the professions of the same deluding or self-deluded pretenders. It was developed extensively among the Arabs, the same people from which the technical terms of astrology are derived, and from them received the name of *alchemy*. It was identical, also, at first, with the true science of chemistry, both words having the same root. Indeed, it would seem that alchemy and chemistry each originated in Egypt, chemical facts being a part of the secret knowledge of the priests of that country, and passing from Egypt to the Greeks, and from them to the philosophers of the Arabic empire.

Chemistry, as an exact science, is of very modern date. Even Dr. Johnson, with all his learning, was so ignorant of the true nature of this science, that he defines it to be 'philosophy by fire;' which as a definition, is mere nonsense. It is the science of the analysis and natural combination of material substances, and employs the agency of many other things besides fire; one of its chief principles being the natural affinities of the elementary substances of things. But though scientific views of chemistry are quite modern, still the practice of the useful arts in older times had of course involved a certain degree of chemical knowledge, too imperfect and confused, however, to deserve the name of science. There being but little positively known, and much remaining to be discovered, the field was a fair one for delusions, intentional or unintentional.

Alchemy, also, grew up out of passions quite as natural and strong, if not so pure and elevated, as those which invited the impositions of astrologers. Its original object was the pursuit of wealth. And it happened thus. Gold is the standard or representation of value in commerce. It is also the most precious, intrinsically, of all the metals. Sir Humphrey Davy's experiments with electro-magnetism, have shown that many substances, such as potash, which it was not previously supposed had anything to do with metals, have, in fact, a metallic base; but neither these newly discovered metals, or those known before, have as yet been decomposed, or resolved into ulterior elements, or component substances. Is each of the metals, in fact, an original, uncompounded simple substance, or not? Is pure lead, for instance, a simple substance, or a compound one? The old philosophers, indeed, discussed very largely, a broader question than this, but one involving the same set of ideas; namely, whether all matter had not one and the same primary essence, only modified in combination or form; and

the alchemists did not lose sight of this discussion. But they began with metals, and affirmed that these at least were each of them but modifications of one simple base. They held, then, that all the pure metals were the composition of two substances, called by them, sulphur and mercury; that the cheaper metals, or as they phrased it, the more imperfect ones, could be transmuted by chemical art into gold, the most perfect one; and their study was to discover the seminal principles of all the metals, called by them the elixir, the tincture of gold, or the philosopher's stone. (Feijoo, Treat. Crit. vol. iii. dis. 8.)

In this pursuit, thousands of credulous men dissipated their lives and fortunes; charlatans, who knew how to extract gold, not out of lead, but out of the follies of their fellow-men, made it the means of enriching themselves by the pillage of their dupes; and honest men, laborious inquirers without number, spent all they could acquire by other occupations, in anxious toil over the crucible and retort, dedicating themselves, their persons and their property, to vain experiments, with all the self-devotion of martyrs. Hence the quaint description of alchemy in some of the books. 'An art without art, whose beginning is to lie, its middle to toil, and its end to beg.' *Ars sine arte, cujus principium est mentiri, medium laborare, finis mendicare.*

Not all, however, of those who professed or gave countenance to alchemy, were either villains or fools. Such men as Gebe and Avicenna among the Arabs,—Albertus Magnus, Roger Bacon, and Raymond Lully, among the Christians, really had high pretensions in point of knowledge, and made great progress in true chemical experiments; so that, amid all their follies, the alchemists gave to us some useful facts, and with them many of the technical terms of modern science.

And in the progress of time, the alchemists, who had commenced with the pursuit of wealth only, proceeded to enlarge their views and extend the scope of their experiments. Previous to the sixteenth century, the metals were very little used in medicine, at least in Europe. The administration of these potent remedies, and especially of antimony and mercury, having proved efficacious in fatal diseases which defied all other means of cure, the alchemists fell upon the idea of a universal medicine, as well as a universal metal, and eminent physicians, like Paracelsus and Van Helmont, tormented themselves in the work of the laboratory with new zeal, when the object sought was to be at the same time an elixir of life as well as an elixir of gold. They were to become possessed of boundless wealth; they were to enjoy unbroken vigor of

body; they were to have the means of rejuvenesence at will, and of course were to attain an immortality of blooming youth; they were sages already, and they inculcated the practice of all the virtues, without which, as they held, it was impossible for any one to accomplish the grand experiment. Here was a combination of motives and objects, the pursuit of which, provided they were believed to be attainable by chemical art, might well inflame the imaginations of men, and which did in fact unsettle half the heads in Christendom.

Accordingly, the devices of alchemy, and the ideas to which it gave rise, are incorporated, in one shape or another, in all the literature of modern times. Nay, though one branch of alchemy, the transmutation of metals, is quite sunk into the silence of universal contempt, yet the other branch of it, the most absurd as well as the most mischievous one, still flourishes among the credulous in full possession of society. Thousands of men, who if a mountebank should ask of them money to be spent in experiments after the elixir of universal metal, when the only loss to them would be the loss of their money, would turn away in scorn,—are willing to lose their money and their lives beside, to the more impudent empiric, who pretends to have discovered the elixir of universal cure. Scarce a newspaper appears, which is not filled with monstrous falsehoods, to delude the unwary and the unhappy into the purchase of some quack medicine, which promises to be a sovereign remedy for all the ills that flesh is heir to, and is often recommended by brief statements of the human constitution, which would be supremely ridiculous for their barefaced absurdity, if it were not for the base impositions they are designed to cover. So strong is the hold which scientific errors take of the minds of men, and so cogent is the inducement of all, who value true science, and the welfare of society, to plant themselves resolutely in opposition to the propagation and establishment of every such noxious delusion.

When the madness of alchemy was at the height, strange and amusing adventures were the consequence. Some of the old German barons used, half in jest and half in earnest, to imprison the professors of alchemy, supplying them with a good chemical apparatus, and abundance of lead, and keeping them at work incessantly to discover the grand elixir as the price of their liberation. Instances are not wanting of princes, who, finding themselves imposed upon by such quacks, have in revenge sent them to the gallows. Others treated them with cool contempt. An alchemist having dedicated a treatise on the art to Pope Leo X., and expecting a liberal acknowledgment from such a

munificent patron of letters, was wittily rebuked with the gift of an empty purse, the pontiff saying, that as the alchemist knew how to make gold, all he could need further was to have a purse ready to put it in. Not a few of the alchemists ministered to the bad passions of the rich, compounding love potions, and subtle poisons, and exercising the vocation of panders and quack salvers, by means of their chemical knowledge, that they might earn wherewithal to carry on the great work. Scott's Alasco is a true picture of these impostors, uniting in their persons the functions of knave and dupe,—of astrologer, alchemist, and poisoner. Carr, Earl of Somerset, had such men in his train; (State Trials, Overbury's case,) and so had the first Duke of Buckingham. "If the most venerable sages of ancient days have spoken the truth,—if the most learned of our own have rightly received it,—if all this is so, and if there remain but one step, one little step, betwixt my long, and deep, and dark, and subterranean progress, and that blaze of light, which shall show nature watching her richest and her most glorious productions in the very cradle,—one step betwixt dependence and the power of sovereignty,—one step betwixt poverty and such a scene of wealth as earth, without that noble secret, cannot minister from all her mines in the old or new found world,—if this be all so, is it not reasonsble that to this I dedicate my future life?"—and upon the premises assumed, Alasco's conclusion was right. Unhappily for his premises, the one step has never yet been taken. Nicolas Flamel, a Parisian of the fifteenth century, and another Parisian, Nicolas Duval, are almost the only rich men who ever claimed to have discovered the secret; and they did so, in order to divert the popular attention from the true sources of their enormous wealth. All the other pretenders have been needy men, whose poverty and misery gave the lie direct to their declarations. As little have we knowledge of any persons who have themselves possessed the elixir of life, except in such veracious histories as that of of Artefius, or of the Wandering Jew of Toledo, (Feijoo, T. Crit. tom. 3, p. 177,) or Godwin's St. Leon.

In the prosecution of this vain science, the alchemists hit by chance upon some potent medical agents, and some chemical discoveries, and among others the distillation of fermented liquors, which they at first imagined to be sublimated essence or pure spirit of things, and the vivifying elixir of immortality, and for that reason gave to it the name of alcohol; but which being perverted from a medicine into a beverage, instead of proving to be the essence of health and life, has rather been the essence of misery and death.

Among the same class of persons who professed to read in the stars this book of fate, and to possess the elixir of infinite wealth and of immortal youth,—and at the same period of modern Europe in which those absurdities flourished, there prevailed another imposture, still more monstrous, and impious as well as monstrous, namely the pretended art or occult science, as it claimed to be, of magic. It is frequently called *necromancy*, which word, however, properly means *divination* by or through *the dead*. Its ordinary name, derived from the *Magi* of the East, testifies to its close association with astrology and alchemy. Its theory, indeed, so far as it has any, supposes, or pretends, that, by profound study or scientific research, the sage can discover the means of evoking and commanding spirits or powerful demons, and rendering them the obedient ministers of his will.

Divination is defined to be the ascertainment of the future through some act or instrumentality of man himself; omens are the indications of the future by signs and portents independent of human action. All these are the pretended means of obtaining the foreknowledge of events. A man wishes to discover the future, and to look into the hidden relations of things, in order to shape his conduct accordingly. But if he had the absolute control of events,—if he could make the present and the future as he pleased,—this would be to grasp the sceptre of omnipotence itself.

Hence the facility of belief in sorcery, cabalistic words or letters, charms, phylacteries, witchcraft, power over the ghosts of the dead or the fallen spirits, apparitions, fairies, the genii of oriental story, divining rods, talismanic stones, and all the fables of that description, the general popularity of which constitutes one of the most humiliating chapters in the history of the human race. Notwithstanding these things are pointedly denounced by the Bible, which forbids that any one shall be suffered, "that useth divinations, or an observer of times, or an enchanter, or a witch, or a charmer, or a consulter with familiar spirits, or a wizard, or a necromancer," (Deuteron. xviii. 10,)—notwithstanding this, these things have acquired universal currency among the Jewish and Christian nations, as well as among the Pagans.

If this subject were carefully investigated, it would be seen that the magic art, like astrology and alchemy, has kept itself alive by the mixture of jugglery and imposition with important scientific facts, its professors making their way by reliance on the natural passions and infirmities of the human character. Those who are curious to understand

it thoroughly will find ample satisfaction in two works of popular access, Sir Walter Scott's Demonology, and Sir David Brewster's Natural Magic. It is too wide a field for me to enter upon here. I hasten to the general conclusion of this division of my subject.

For the chief part, it has been observable that, in all countries, the modern *professors* of astrology, alchemy, and magic, have been oftentimes men of questionable and irregular means of subsistence. They had neither the knowledge, nor the wealth, nor the beauty, nor the power, which their acts pretend to bestow. The most approved professors of the three occult sciences in our day are the wandering gypsies, who play at hide and seek with starvation and the jail through life. The oriental Magi of ancient times were, it is true, men of somewhat higher social estimation; but neither had they in their utmost need the supernatural powers they claimed to possess. "Where was their omnipotent power over the invisible world,"—says Pliny, scornfully enough in his old Roman pride,—"Where were they when Lucullus prostrated all the kings of the Magi with a few Roman legions?" In general, these persons have been as poor in fact as they were magnificent in profession. The fact perpetually confuted the profession. Of course, when the progress of positive science had stripped them of their stolen plumage, and exhibited them in their true colors, they became the mere objects of ridicule and contempt. They did not reach this stage in their career without passing under the visitation of penal justice. Take the law of our mother England. By one old statute, (1 Jac. i, c. 12) all persons who use any conjuration or invocation of evil spirits, or consult, covenant with or employ them, or who exercise any witchcraft, enchantment, charm or sorcery, were pronounced guilty of felony. This law is now repealed (Stat. 9, Geo. ii, c. 5.) The enactment of it bore witness to the belief in and the fear of magicians;—the repeal, to the disbelief and contempt of them. A later and a wiser statute (17 Geo. ii, c. 5,) provides that "all jugglers, fortune-tellers, gypsies pretending physiognomy, palmistry, or the like crafty science, shall be deemed rogues and vagabonds." In the same category are all persons "using any subtle craft to deceive and impose on" the king's subjects. And to this consummation have all the sublime professors of astrology, alchemy, and the art magic, at length descended in all parts of Christendom.

MUSINGS BY THE HEARTH.

Where are we? In the midst of the winter, January gone and February here, eighteen hundred and thirty-nine. Eighteen hundred and thirty-nine years ago last Christmas day, Judea was the heaven, her stable was the God's throne, her people were paradisal. The morning star and the evening star, the winds upon the hill sides where watched the night-enveloped shepherds, those simple Sampsons of the frost hours, were musical as David's harp; the rocks of desolate Bethlehem, the scene of the incarnate mystery, the rivers that run even to this day,—if we may believe Stevens and La Martine and other viewers of things still sacredly solemn,—were fresh with the silver tints, that like angels attended that infant God, to his lowly couch. Eighteen hundred and thirty-nine years ago, and no voice of prayer, melodious as the vocal choir of the everlasting domes, sang announcement, but a star, away up in the blue, cold ether, where the heavens trembled with the knowledge of the extatic marvel, so says Virgil the Latin believer, peered forth and without a voice, but with a gesture, as if the finger of one God moved it, told the vestured and the crowned kings, that a babe was born, who had ruled in heaven, and who would serve on earth. What a majestic accident of Providence. Three men, three old grave-going men, rich and endurated with iron and the gold of their acknowledged sway, saw on that cold and chilly night, the star-smile of the skies, and they took up their warm clothing and with backs bowing as they travelled, they passed the waters and the wastes, and they, those old aristocrats! kissed, amid the litter of the stable, the swadling clothes of Jesus, the Saviour.

Christianity stood not then fairy-like, or phantom-like, in the lofty temples of a thousand lands, her breath was not the frankincense of multitudinous people, nor were her steps on the roses of the heart. She was an infant in its mothers arms, amid the stupid stare of the docile asses and the oxen, who nibbed their hay, as the voice of omnipotence spoke in unintelligible glory. Two angels stood in the door way of the stable, and they approached not to that smiling cherub who held out his little vermillion tinted hands to Joseph, that bearded old carpenter. Oh humble life, oh reverential prayer of the innocent, system of man's condition—now that years have passed over our head, not years of time, but years of emotion, we do look back upon the past, when fresh with the young buds of boyhood at our button hole, we were nursed by a calm, mild, benificent old carpenter man. It was at col-

lege. Sickness or laziness, every body who has ever laughed at a merry joke, knows as well as we do, how laziness will work 'possum,' vulgarly called 'opossum,' in the young limbs and notions, and then books, the profane and the sacred rudiments of the mighty stock, are thrown aside, and naught will move the languid lazy invalid. In vain the Doctor shakes a long chalky phial in the eyes, not a wink manifests the temporary exertion of the prostrate good-for-nothing, truant-playing boy, and salts and antimonie, (how much more potent than the ferule in most cases,) are resorted to, to effect a *physical* revolution, but not an inch, not a pulsation will jot the bedeviled boy. He sticks it out the Hannibal of the Roman books. But we were talking about that quiet carpenter man, who nursed us in one of those fits of periodical indisposition, and what a worthy, unobservant, unsuspecting, good creature was he. *He* never felt the pulse, but he did feel the heart, that was his province, and he felt for another very essential anatomical region—he felt for the stomach of his boy patient, his sick eater of warm toast, well spread with un-collegiate butter, and he would talk so many good stories to our romantic ears, and then he would have the hot tea sweetened with healthy white sugar, and creamed too, and after all he would turn our short sheets down at the top of the bed, and make us say our unhypocritical prayer ere we lay on the downy bed, and then that old man would stand by and pray over us and bless our little body, waxing even then through the pretended sickness to larger and more capable size to sin,—glorious old memories of that glorious old lay-brother of the college, his tomb is of the valley grass, a rude black cross at his head, and an old gray stone at his feet, mark the length of as good a man as ever served his Maker, in the simple, manly, beautiful idolatry of the poor man's heart. Peace to thee thou carpenter man. Our recollection is in tears, the candle trembles like an aspen leaf, the cats purr rings no longer in our abstracted ears,—through the wildering mists of weeping memory we see thy anxious form hovering beside us, in thy hand thy sick boys bowl of tea, and plate of buttered toast, and now that thy soul is disembodied, we see it, as it was not then to be seen, the loveliest angel of the earth. Brother Meade, the carpenter, has built about our heart and mind the ladder by which he ascends even now to see how the weather-cock of our noddle veers, and he never leaves us to go back to his grave and his heaven, without fixing it in the quarter of the damp winds. Where thy grassy bed is there could we pray.

"Thus to relieve the wretched was his pride,
And ev'n his failings lean'd to virtue's side;
But in his duty prompt at every call
He watch'd and wept, he pray'd and felt for all,

And, as a bird each fond endearment tries,
To tempt its new-fledg'd offspring to the skies;
He tried each art, reprov'd each dull delay,
Allur'd to brighter worlds, and led the way."

If Joseph, the foster-father of the Miracle, was like him whose life was a religion, and whose death was its triumph, then indeed was he a most excellent person. If his eyes were as full of pensive contemplation and guileless love, as my old nurse's brother Meade, then indeed were those eyes prodigies of nature. We fancy we can see that scene exactly as it occurred—oh how silent it was, and yet the beasts in the stalls chewed at the sweet hay, unmindful that the event which had occurred, was destined to work out in the end even for their good, that a christian lawgiver had travelled from the gates of heaven, whose spirit runneth parallel with mercy, and that in the spirit of the love and the mercy of his rule, laws would be passed to punish man for cruelty to the dumb creatures of his creation, and that even he, the boy-babe, in later years of his life, would ride into Jerusalem upon the back of one of that meek asses' descendants or kindred. There was Mary, the virgin, the black eyed and the long lashed, the pale faced and the divine, with her maternal vision looking upon the child, that sat upon her knee and chirped like any other child, and old Joseph, the quiet orderly house joiner, (let the trade be forever of the firs rank) standing by with his hands clasped, those rough, honest, unsinning hands, and his eyes wandering from the daughter of the house of David to the carnate-incarnate, and the black old walls of the stable-temple, and the cows with their solemn mouths waxing the cud, and the contemplative ass warming his ears by flapping them through the air, and the three kings robed in their jewels, the star obedient, the throne-leavers, pouring from their heavy bundles the rich presents of frankincense and myrrh, and precious ornaments, at the feet of the God's mother. The people were asleep in the quiet city of Bethlehem, and Ceasar's name was muttered in sleep by the soldier centinels, and lo! a few star-gazing simple country folks on the hills heard the music at the midnight hour, and they left their flocks and came to the stable and knelt in the midst and wept tears of rustic joy. But it was a cold night, and the daughter of the kingly David's line was very cold, but no harm came to the boy by the exposure, and Ceasr's census of his people was increased by the name of the monarch of Augustus himself.

If Homer had been reserved to the era of the advent, what magnificent scriptures would he not have uttered. If he had been but a christian Jew, instead of a Jupiter-man, he would have been an ornament

to the church; as it was, he sang of the gods, and he made the shores of the Archapeligo redolent with the minstrelsy of Olympus. Parnassus was not then in existence. To be sure, a bold mountain did raise its proud head amid the sterile sands ef Agamemnon, but it had not exactly been baptised in the true waters of poetry—the fountain had not then welled out—in fact, Greece was but a shabby, unshod, uncombed, uneducated, residence of fighting-chickens, who had sense enough to see that Paris, master Paris, had no right to steal away sweet mistress Hellen; and they clubbed together, and the descendants of the priestly Egyptians raised a terrible hubbub for ten years, we believe more, about the ears (years) of old Illium, who, while she fought, carried on the armory business to no inconsiderable extent. Her carrying trade, however, in that article was done on the shoulders of her hardy soldiers, and it was generally a *dead* weight in the bargain. Parnassus—

"Oh, thou Parnassus! Whom I now survey,
Not in the phrenzy of a dreamer's eye,
Not in the feebled landscape of a lay,
But soaring snow-clad through thy native sky,
In the wild pomp of mountain majesty!
What marvel if I thus essay to sing?
The humblest of thy pilgrims passing by,
Would gladly woo thine echoes with his string,
Though from thy heights no more one muse will wave her wing.

Oft have I dreamed of thee! whose glorious name
Who knows not, knows not man's divinest love;
And now I view thee, 'tis, alas! with shame
That I in feeblest accents must adore,
When I recount thy worshippers of yore
I tremble, and can only bend the knee,
Nor raise my voice, nor vainly dare to soar,
But gaze beneath thy cloudy canopy
In silent joy, to think at last I look on thee!"

Parnassus, we were going to say, when we were interrupted by the repeating tongue of memory, that cajoled us into two stanzas of the Peers, had no existence then as an altar. Homer woke the sleep that girt its godhead, and fulminated his edicts of adoration throughout the shores of Hellena. Then was Parnassus the Homeric monument—then did she rise and loom upon the vision until the very earth on which it stood, on a level with the ebbless sea, did raise and lift the

Parnassian mount until we can see it from our western planet. There it is

> "Can it be?
> Yon small blue circle in far ether,
> With an inferior circlet near it still,"

See how its sharp peak kissess the skies in gratitude for their poetic influences over the old bards that smote the lyres to Hercules and Theseus.

The christian era was postponed too long. It has struck us more than once, when we have been thinking that christianity is not much older, if, indeed, as old, as was Methusella or Noah, the old house-joiner—the sailing keel-ship-house. Why it is not venerable as yet—it is but a boy, that has already won many scars in the Roman wars, in the German wars, in the French, aye, in the Spanish and in the English, thank mercy, *not* in the American wars received, and he is hardly old enough to command our veneration. Now if it had been brought about in the time of the first poet, who played blind-man's buff about the fields of Greece, and caught by accident the glories of immortality as she was breathing the atmosphere of Olympus, what a splendid matter it would have been; and then Socrates would have been a genuine christian, and Heroditus would have been a missionary and a most excellent preacher at the Olympic games, which he would have turned into a love-feast, and Alcibiades, a very clever fellow, who cut his dog's tail off, as the State of Virginia docked her entail to curry favor with the democrats, would have been rescued from a too frequent attendance at the house of Aspasia, &c., and Plato would have been a most capable gentleman to expound in a pulpit, and Eschylus would have written words of christian import, at which we, in these later days, would have wondered, and questioned whether they were not divine. What would have been the great sausage poet, aristocratic loco-foco Aristophanes, who told the butcher how to gull the people—

> "Deal with the people as with sausages—
> Twist, implicate, embroil—nothing will hurt
> So you but make your court to Demus—cheating
> And soothing him with terms of *kitchen* science,
> All other public talents are your own,
> Your voice is strong, your liver white, and you are
> O! the forum—say could diffidence ask more
> To claim the reins of State?"

All these men would have been christians, they would have been the Greek primitives, "they of the Greek church," and the stars would

have sung together, and their hymns would have been our study, and we would love to visit the scenes of their glory in a truly christian spirit, not in a Turkish turban'd spirit, as we would have to do now-a-days, and under present influences; when master Long-beard squints over the Bosphorus, and scents the Hymettian gales, and longs for some modern Laiis, unloved of an Alcibiades.

Had christianity dawned in those early times, when the human heart was stored with unpolluted beauty, when poetry was all sublime, nor gross with fawning lines to lust, when heroes were as the mountains they defended, and woman pure as the zephyrs they inhaled, and the flowers they nursed, and the skies they lived under, who can say where we would not be now? Egypt, with her fabulous monarchs, her Osiris and her Orus, her Apollo and her Venus,—for Egypt had the Grecian gods, mother as she was of the first Grecian colonies in Attica,—with her dynasty of serpent-worshipping, bull-adoring Thinites, from her rapid and far-famed but gently troubled Nile, uprising from the mountains of the pale moon, to the mouths of her wonderful river, would have been christian. Her wise infidel kings would have been wise republican gentlemen, and the Bible, instead of suffering in the hands of the Cyrenean keeper of the Alexandrian Library, would have kept it in the bowels of one of the pyramids, had any of those nation-shadows been built at the time.

Where would have been Monsieur Le Turc? where the bow-string? where the dagger and the bowl? where the Mecca? where the coffin of Mahomet? where the Houri? where Lalla Rooke? where the Giaour? where the Bride of Abydos? where Xerxes? The latter would not have chained the sea, nor would he have dared the more difficult task of chaining the necks of christian Greece. The King of the Immortals would have heard the prayer, and the worship of the Jehovah, swelling in tuneful cadences, and in the Lydian city, he would perhaps have heard the gospel preached by one of the Asiatic Greeks. But it was ordained otherwise; and in comparatively later days, the heavens were bowed down, and the earth knelt to receive the child-immaculate. We are content. With christianity has come the sun-shine in our homes, and upon our books, and through our lives—it has levelled mountains that impeded the flight of wearied souls seeking rest; it has freighted the heart with a ballast that will balance its wings as it soars to the topmost part of the heavens; it is the virgin-mother of liberty. France threw aside christianity and erected altars to the liberty of reason, while we have espoused christianity and filled our hearts with an adoration of the reason of liberty.

THE ROSEBUD OF BEAUTY:

Composed on seeing a beautiful little girl, in Chambers street, smiling through the window.

BY T. H. CHIVERS, M. D.

"Ambrosium late rosa tunc quoque spargit odorum,
Cum fluit, aut multo languida sole jacit."

Sweet rose-bud, yet unblown!
Whose soul, like perfume in the embryo flower,
Lies folded in thy heart's young leaves unflown—
Thou look'st unto me, at this precious hour,
As if thou wert from heaven—or brought'st thy smiles
Fresh from the gardens of the blessed Isles.

Thou art as pure, sweet one!
As if thou hadst been made from God's own heart—
Moulded from out th' alembick of the sun
By His own hands, to Deify an art
Made worshipful in thee—whose light seems given
To lead my wandering soul from earth to heaven.

Thou hast not mourned, sweet dove!
But wearest the aspect of immortal youth.
Thou art like Peace begotten of pure Love,
Nursed by Religion in the bowers of Truth;
And, on ambrosia, which the months do bring,
Fed by the spirit of perpetual Spring.

And now thy roseate lips,
Like two ensanguined pearls, fresh from the mine,
Are parted like the humming-bird's, that sips
The morning's freshness from the Jassamine,
Whose brimful goblets of nectarian dew,
Feeds it as freely as my soul loves you.

They are as pure as thine
Own childhood, which now melts into thy youth,
As sweetly as these sacred thoughts of mine
Are moulded by thy beauty into truth;
Whose impress is now shrined within my breast
That living there can smile earth's cares to rest.

Thou wert not born to die!
The grave could feel no pride in burying thee!
Death would not dare to look thee in the eye—
Or, if he did, those smiles of purity,
Like streams of light descending from above,
Would melt his icy heart to tears of love.

It cannot be that *thou*,
The only being in this world of sin,
That mak'st my soul adore, as it does *now*--
Wert born to die! Oh, no! for thou hast been
My morning-star of thought! which rose above,
And lit my soul out of the sea of love.

There is not one on earth,
Nor in the heavens above, like thee, *sweet one!*
Thou look'st as if God's light had given thee birth,
Sent on the wings of morning from the sun—
A chrysolite of joy, of light divine,
I would not give for earth if thou wert mine.

NEW YORK, *Jan. 1st*, 1839.

TO MISS S. A. T.,

WHO MARKED MY HANDKERCHIEF.

Inscribed on banners is a sign,
Of glorious deeds and martial fame,
But on this handkerchief of mine,
By thee is marked my humble name.

Let soldiers boast their banner bright,
And gaze with transport as it flows;
The mark that you have left to-night,
Will triumph o'er a thousand *blows*.

THE SENATE AND THE PRESS.

"Every man shall be at liberty to publish what is true, with good motives, and for justifiable ends."—*Justice Story's Commentaries.*

"The Liberty of the Press is essential to the nature of a free State."—*Blackstone.*

"In all controversies concerning the power of public officers, we are not to examine what conduces to their profit and glory, but what is good for the public."

Algernon Sidney.

"Dignity consists, not in possessing honorable station, but in deserving it."

Aristotle.

"———— I am Sir oracle!
And when I ope my lips, let no dog bark!"—*Shakspeare.*

We have chosen, as the theme of some observations upon "The Senate and the Press," the title of a rare and amusing little pamphlet, which has lately fallen under our notice, presenting a singular specimen of that party virulence, for which the reign of Charles the Second was so distinguished; yet, after making a due allowance for political prejudices in the writer, the descriptions it gives of some of the leading persons of those times are no less valuable than curious. Its title-page is sufficiently indicative of its character, and lets the reader, at a single glance, into the full scope of its object and design. The notorious profligacy of the politicians of that day and government is its theme, and the unsparing pen of a severe and caustic satirist is the instrument of its execution. The preface of the editor thus alludes to the writer of the MS.: "He may be viewed as the stern and uncompromising satirist of those whom he considered as knaves and fools; and in that case, his motives afford some apology for the strong language in which he has indulged." And of the "Notices" themselves, the editor also remarks: "though they were probably caricatures, it is to be remembered that caricatures are often faithful likenesses."

Some of these sketches are very pithy and pointed; and, written as they were, some two centuries ago, they give evidence of the existence,

FLAGELLUM PARLIAMENTARIUM; being sarcastic notices of nearly two hundred members of the First Parliament, after the Restoration, A. D. 1661, to A. D. 1678. From a cotemporary MS. in the British Museum, pp. 34. London. Nichols, 1837.

at that time, of many traits of political character, which are exemplified by some of the public men of our own age and nation. The curious reader, perusing this little *brochure*, will, (or we greatly err in our calculations as to the effect its examination is likely to produce upon his mind,) be struck, as he turns over its pages, with the full force of the apophthegm of the wise man, "There is nothing new under the sun."

The case of Sir Thomas Dolman, who is set down in this catalogue as having been "flattered with the belief of being made Secretary of State," and that of Sir Charles Wheeler, "a foot-captain, once flattered with hopes of being Master of the Rolls,—and now Governor of Nevis," are parallel with those of many modern office-seekers, under a more free, and perhaps less profligate government than that of Charles, "the merry monarch;" while that of Sir Jonathan Trelawney, "a private forsworne cheate in the prize-office, with the profit of which he bought the place of Comptroller," seems not unlike a type and counterpart of a more "modern instance." We all have heard, in this our day, of a certain "forsworne cheate," who, scorpion-like, stinging the bosom that had cherished him when helpless, became the deadly foe and political betrayer of his friend and protector; and, "with the profit" of his treachery, "bought the place of Comptroller;" since which he has "bought himself" a "place" still higher. (*pp.* 2, 3.)

There is the case, too, here recorded, of John Trelawney, "his Majesty's carrier, who, now and then, has a snip out of the taxes,"—and those of Thomas King, "a poor beggarly fellow, who sold his voice to the Treasurer for fifty pounds,"—of Sir Charles Sidley, "who promised the King to be absent,"—and of Roger Whitby, "who means honestly, but dares not show it,"—all of which are but so many forcible illustrations of the unchangeability of poor human nature, from age to age. (*pp.* 5, 9, 28, 30.)

The "coming events" of this era of Sub-Treasury operations, seem to have "cast their shadows before," even from that early period when this now flourishing Republic of ours was in its infancy. Charles Trevanion is set down, in the little work before us, as "indebted to the King seven hundred pounds, being a receiver-general; and W. Harbord is described as an "under-surveyor, and court-contriver to cheate the King out of his lands." (*pp.* 5, 8.) And what were Messieurs Trevanion and Harbord, we would be glad to know, but a pair of sturdy "two-legged treasuries" of their time? And the following,—what is it but the precise *double* of a case recently developed on the floor of the House of Representatives, upon the reception of a document from the

Treasury department, containing the correspondence of that department with certain receiving and disbursing officers, under this Government? "Sir John Marley, formerly Governor of Newcastle, which he betrayed to Cromwell for one thousand pounds. He is now Governor of it again, and pardoned his former treachery, that his vote might follow the bribe-master general." (*pp.* 15, 16.) Truly, "History *is* Philosophy, teaching by Example."

Whether or not there are any parallel cases in these our times, and among the cotemporary law-givers of our country, with that of Lord Hanley, who is tersely described, (p. 6,) as "Serjeant Buffoon," it might, perhaps, be deemed invidious in us to enquire. But as our eye rests on the record, there rises before our mental optics the vision of a well-known legislator of this day, who, we feel sure, might very well have sat for that sketch, had he been a member of the Parliament of 1661–78, instead of the Congress of 1838–9. If our conjecture be a correct one, Lord Hanley must have been a source of much amusement to the members of the House in which he sat,—no less from the blunt originality of his language, the extremely popular and *ad captandum* mode of his address, and the confident boldness and independent indifference, with which he approached, alike, all subjects under consideration, whether he knew, or did not know, aught of their meaning or their merits,—than from the marked grotesqueness of his personal appearance, the preposterous length of his pig-tail, and the inordinately latitudinous brim of his yellow beaver. Or, perhaps, this "Serjeant Buffoon," of the seventeenth century, had a gift of demanding the Previous Question, when the debates on the budget began to grow too warm for the "King's own,"—(for we are told that his Lordship was also "Captain of a troop of Horse," and "of the bed-chamber to his Highness;") or he might, indeed, have been in the habit of playing off any other of those antics, in the sight and hearing of the body to which he belonged, by which our modern emulators of the title that has handed down his Lordship's name to posterity, are so highly distinguished;—for the race of legislative "Serjeant Buffoons" is by no means extinct.

The case of Sir Courtney Poole (p. 7,) is the last we shall cite from the amusing little book before us. This is one, which, if it want, even now, a parallel, is not likely to be long without its perfect match. Sir Courtney is described as being "the first mover of the chimney-tax; for which he had the court thanks, but no snip;" [*i. e.* no share or snack.]* When Charles the Second re-ascended

* *Vide* Todd's Johnson's Dictionary, "*Snip.*"

the throne, after the interregnum of the Commonwealth, he resorted to many extraordinary modes of raising supplies from the people, in order to establish his power permanently, and to maintain the luxury and splendor of his profligate court, it mattered not at what cost, or by what exactions upon the country. It followed, as a matter of course, that among the primest of his prime favorites, was he who should open a sure way to the popular purse, and such a man was Sir Courtney Poole, who moved the chimney-tax; for which good service, we are told, "he had the court thanks." But Charles, (having pocketed the supplies arising out of this new and ingenious impost upon his people, and thus to the full availed himself of the proffered assistance of his knightly friend and partisan,) yet gave him none of the "snip." So proverbially precarious are great men's favors.

And is it not just within the bounds of human possibility,—(nay, do not daily transpiring events even lend it an appearance of probability?)—that our own day, and our own country may witness another instance of a similar disappointment to that of Sir Courtney Poole? Is it quite certain that the "first mover" in the new coalition between a distinguished Southern statesman and an admnistration, of which, up to a very recent period, he has been the most bitter and uncompromising opponent, will, when his part of the bargain is consummated, and the work complete, get more for his efforts to establish the tottering fortunes of the other high contracting party, than "the court thanks, but no snip?" Is this, as Horatio, in the play, says to Hamlet, "to consider too curiously?" Perhaps so; but time, that surest of soothsayers, will either complete or spoil the parallel; and to him we leave it.

We happened to meet with the pamphlet from which we have been quoting, on the same day on which we listened to a very singular debate in the Senate of the United States, arising out of the presentation of a resolution by one of the standing committees of that body, proposing to set apart a portion of one of the galleries for the use of certain reporters of the public press, from different sections of the country, who desired to be granted such facilities in taking notes of the proceedings of the Senate, as would enable them to despatch abstracts on the same day. The application for these facilities was presented by gentlemen representing public journals of every party complexion, and only claimed what had for years been unrestrictedly extended by the Senate to the newspaper press of the country.

At the first glance at this request, one would naturally conclude that it must be a perfectly reasonable one; nor, upon the closest scrutiny of

it, in all its possible bearings, could he have seen in it anything to which an American Senate could properly take the slightest exception. It asked only for what had ever before been freely granted, and had only been taken away under a very recent and hastily adopted rule of the Senate; the privilege, namely, of ready access to information with regard to the proceedings of that body, for the purpose of transmitting that information daily, to every part of the Union. And yet, (will the representative, near this free and Republican Government, of the Autocrat of all the Russias, credit our report?) so far from granting this respectful and reasonable request of the newspaper press of the country, the leaders of the dominant party in the Senate, actually met it *in limine*, with a proposition to postpone its consideration indefinitely! Moreover, they accompanied their tyrannical and despotic refusal to consider the application with the most abusive and defamatory denunciations of that portion of the press of the country, and of those who write for its columns, that happen to be opposed to the political party of which the majority of the Senate are members.

It is a striking feature in the character of the dominant party, (and one that we have often had occasion to notice within a few years,) this prodigious sensitiveness as to the terms in which the public press sometimes takes occasion to comment upon the leading members of that party, individually, and with relation to the manner in which they discharge their several duties, as public men. It would seem but a rational inference from the fact that this nervous and irritable dread of the press is of recent growth among our prominent political men, that the evil of which they complain is one of recent growth, also. And yet we very much doubt whether the American press has at all deteriorated in this respect, of late years,—or if, on the contrary, its tone is not much more elevated and dignified, in its political contests, than it was during those "times that tried men's souls,"—the days of the embargo and non-intercourse, the Hartford Convention and the late war. We may view the matter too much *en couleur de rose*, but we cannot but claim for the public press of our country, a great improvement in these particulars, as marking its course for the last two or three, when compared with, even, the preceding five or six years. And it never has been, is not now, and, we trust and believe, never can be so exceptionable in its tone of discussing the character of public men and measures, as that which marks the English press, in a very striking manner. In directness of personal allusion, in the extent to which individual character is deemed a fair theme for public comment, in the boldness and pointedness with which prominent men are arraigned, by name, at the bar of

public opinion, and in the severity with which, when so arraigned, their public conduct is canvassed, the British press certainly uses a far more liberal license than that of America.

Take an example, at random. In the October number of Blackwood's Magazine,—the leading literary and political periodical in Great Britain,—the first article, entitled "The Cabinet and the Country," contains the subjoined passages, among pages more, of equal personality and severity, to the perusal of which we refer the reader, for further proof of the correctness of the position we have assumed.

"Three years ago, Lord Brougham sent the Melbourne Cabinet into the world, with the brand of "The Incapables" on its forehead. Among all changes of principle and practice, they have been true to their title. They intended nothing; they were capable of nothing; and they have fulfilled both their intention and their capacity." * * * * * "The individuals composing this government are utterly helpless, trifling and ridiculous." * * "The Cabinet is not more frivolous as a body, than impotent in its members." * * "The Melbourne Cabinet have discovered a source of distinction which few desire to rival—none can hope to exceed. *They are contemptible!* Their feebleness is so completely beyond all controversy, that they have the double advantage of being supposed incapable of mischief, and of exciting commiseration, in every instance where they are attacked! Sir Robert Peel against Lord John Russell! Why, every sense of common humanity enlists itself on the side of the little victim querulously writhing in the grasp of the powerful Opposition leader. Lord Melbourne against Lord Lyndhurst! Was there ever such painful inequality? When the great law Lord rises to inflict the lash upon his nerveless and frightened opponent, however justice may commend severity, every feeling of compassion longs to save the startled culprit from the scourge which, like the knout, may extinguish his existence at a blow." "After his [Lord Melbourne's] first half-dozen sentences, he becomes wholly confused, evidently looses all sequence of thought, blunders from one folly to another, and, after a helpless discharge of the most unhappy verbiage, either drops into silence, from mere powerlessness of saying any thing, or attempts to cover his retreat by falling into a ridiculous passion." * * * "O'Connell, the truculent bully." * * "But leaving the Cabinet, *en masse*, to the scorn which its impotence demands," &c. &c.

And this is a sample, (by no means the harshest or most severe, that might have been selected,) of the manner in which the English journals discuss the character and conduct of their lawgivers. In the wildest license in which the American press has ever yet indulged where will you find it stretched to such an extreme length as this? And yet, "The Incapables" of the American Senate—members, however unworthy, of a body, organised under a Republican Constitution,

shrink with mimosa-like sensitiveness from descriptions of their legislative performances and abilities, which, compared with the political strictures of the British press, under a monarchical government, are but the language of mild rebuke, and deferential respect.

It is, indeed, really amusing to witness the shuddering and terror, the quaking apprehension and pallid trembling, with which certain of our placemen unfold the yet wet sheets of their morning journals and evening gazettes. To see them, one would imagine that they thought themselves in danger of finding a report of their bankruptcy in one, and their death-warrant in the other. Our men in office, seem to have a perfect *paper-phobia*, so to speak—and to hate, instinctively and inveterately, every body connected with typographical operations, from the founders of the magic metals themselves, down to the very printer's devil, that carries the "copy" to be transferred to their surface. And all this, as we have said before, is of recent origin, and indigenous to our own free, republican land! In other countries, rated as far less freely and liberally governed than our own, such a dread of the press, such a disposition to check its influence, to decry its character, to impede its attempts to obtain information for general diffusion, to dam up the fountains whence it would derive its most important intelligence, for the enlightenment of those who look to it for instruction, has never betrayed itself since the invention of the art. Our own brave forefathers were patrons of a truly free and unshackled press,—and used it, with the most unbounded and unlimited license, in working out for us, their children, the freedom, sovereignty, and independence we now profess to enjoy, as a people.

Such were some of the reflections that flitted through our minds while watching the progress of the singular debate in the Senate to which we have alluded: a debate, the details of, and actors in which, seem to claim some more particular notice at our hands.

It is a remarkable fact that the senator who took the most active part in offering this proposition had himself been the main-stay of one of the most violent partizan papers, ever published in the United States, and had obtained, by the means of this paper, that peculiar kind of standing with his party, which, under "the *new* democracy," is the patent spring-board to almost any place of trust or profit. It made him, some records say, from the driver of a Connecticut pedler's cart, an administration job printer, then the Hartford city postmaster, and then, in due course, Senator of the United States. While connected with the press, his course had been signalized by the virulence and asperity with which all adherents of the opposite party were uniformly treated.

And even since he had held a seat upon the floor of the Senate, (from which we now hear him anathematize the correspondents of the public press,) he had by no means foregone the indulgence of the *cacoethes scribendi*. He had still held his own pen, ready dipped in the bitterest gall, at the service of the party-press, whenever its aid was needed. Such was the American senator, who rose in his place, (soon, we congratulate the State he desecrates, to be better filled,) and moved to postpone indefinitely the proposition we have described. It was indeed mortifying to witness the scene. As he recalled some of the truthful allusions which the press had, from time to time, made with reference to his utter incapacity and unfitness to discharge the important duties of that high and honorable station into which, by party tactique and servility, he had unworthily insinuated himself, it must have been plain to the most indifferent observer that this movement of his was but the indulgence of his own personal pique, the gratification of his own low revenge. He acted with the fullest and most obvious confidence that he should succeed in his object, and he did. His motion to postpone, and thus virtually to reject, this application of the press, prevailed by a party majority of *three* votes, and Mr. Niles had his revenge!*

In the course of the defence of his proposition, this senator is reported to have said that—

"He was somewhat surprised at a proposition that that body should sanction, and in some manner endorse, the vile slanders that issued daily from these letter writers, by assigning them seats within the chamber. Who were those persons who styled themselves reporters? Why, miserable slanderers, hirelings hanging on to the skirts of literature, earning a miserable subsistence from their vile and dirty misrepresentations of the proceedings here, and many of them writing for both sides. As his term of service was about to expire, he could speak disinterestedly on the subject. Perhaps no member of that body had been more misrepresented and caricatured than himself by those venal and profligate scribblers, who were sent on here to earn a disreputable living, by catering for the depraved appetite of the papers they wrote for. Shall we, said Mr. N. sanction such miserable caricatures of the proceedings of this body, as are daily sent abroad by these

*As a matter of some interest for future reference, we append the votes upon this motion of Mr. Niles to postpone the Resolution:

YEAS.—Allen, Benton, Brown, Buchanan, Clay of Ala., Fulton, Hubbard, King, Mouton, Nicholas, Niles, Pierce, Roane, Smith of Conn., Strange, Tipton, Walker, Williams of Maine, Williams of Miss., Wright—20.

NAYS.—Clay, of Ky., Clayton, Crittenden, Davis, Foster, Knight, Linn, Lyon, Morris, Norvell, Prentiss, Preston, Rives, Robbins, Robinson, Smith of Indiana, Swift—17.

hirelings, and thus give currency to them? for their vile trash goes out to the world in advance of the reports of the regular reporters? No. Was he not unwilling to do any act that might be supposed to interfere in the slightest degree with the freedom of the press, he would move some resolution to prevent their coming within the walls of the body at all."*

Here is a distinct assertion as to the character of the reports, which, the Senator concedes, such as they are, "go out to the world in advance" of those given by the only reporters now admitted to the Senate, those of the Washington city papers. One would think, upon a perusal of the above chaste, dignified, and senatorial paragraph, that this censor of the press at least had had some slight opportunity of judging of the character of what he so pointedly condemns; yet, in a subsequent part of the debate, he is found using the following language, as given in the report already quoted.

"As to these newspaper scribblers, he disregarded them altogether. He was an old campaigner, *and what they wrote never affected him. He never read any of their effusions but one letter;* and that was done up in a handsome style, and enclosed to him, directed in such a neat handwriting, that, supposing it to be from some fair damsel, he took the trouble to read it."†

Truly, such gallantry to the sex, on the part of the honorable senator, deserves commemoration and appreciation! But will he excuse us, if we hint that this paragraph speaks far more eloquently in praise of his chivalry than of his veracity? If there be the smallest particle of common honesty or common sense in the man, one of these paragraphs which we have quoted from his speech must be destitute of the slightest pretension to truth: for how could he come by such a seemingly accurate knowledge of the character of the communications he denounces, as that to which he lays claim, if "he never read any" of them?

A senator from Michigan, attached to the same political party with the person we have been quoting, and who had presented the pending resolution in behalf of the Press, in a neat and succinct style advocated the same before the Senate, and closed his very appropriate remarks by saying that "he would interpose no obstacle to the unlimited publication of whatever the letter writers or reporters might choose to say of the Senate. He would do nothing to prevent them from giving full and fair reports. *If* (said he) *we cannot sustain ourselves here, or with our constituents, against their calumnies, we must be unworthy of our seats in this hall.*"‡

* Globe. † Ibid. ‡ Ibid.

There certainly was a great deal of good logical deduction in that last sentence, and so seem to have thought the representatives of the people of old Connecticut, when they gave the Hon. Mr. Niles leave to stay at home, hereafter. He has not been able to sustain himself, "on that floor, or with his constituents," against the truthful representations of the press, and they have said with Mr. Norvell, "he must be unworthy of a seat in that hall."

And now, one word, before we drop the subject, as to the personal allusions of the author of this contemptible manœuvre, with regard to the correspondents of the public press, who are stationed in Washington. Those gentlemen, if we understand their character, and we think we do, will, doubtless, permit these aspersions, coming whence they do, to disturb their equanimity in no very great degree. The author of those allusions, in sending them into the world under his own name, has furnished the antidote with the bane; for no man of the slightest pretension to respectability of character, to honorable feeling, to standing in society, or even to common decency and sense of propriety, can feel himself seriously injured by such Billingsgate as that contained in the first of the above quotations. The person who used them must certainly possess an immunity from a too harsh criticism upon his taste and style, in his utter personal insignificancy, and his well known habitudes of thought, feeling, and association.

And now, perhaps, we shall be asked by some curious critic, what has the end of your article to do with its beginning? To which we shall simply reply, that the one suggested the other. We thought a paper, not entirely devoid of interest to the reader, might be made out of the contrasted view of political and personal criticism in 1661, and political and personal criticism in 1839. The debate in the Senate and the discovery of the "Flagellum," were, to us, coincidental events of the same day; and, as we listened to one, and read the other, we could not resist the occurrence to our minds of the reflection, that, highly valuable and worthy of all love and veneration as are our own noble institutions; yet, after all, there may be, at times, something very like freedom under the most despotic institutions, and something very nearly akin to despotism, under the freest? And the sentiment which this reflection seems most forcibly to inculcate upon us, is simply this; the most unwavering, implicit, and uncompromising FAITH IN A FREE PRESS! And, in conclusion, we are ready to adopt the truthful language of Sheridan, who, on this interesting topic, has eloquently said,—"give me but the liberty of the Press, and I will give to ministers a venal house of Peers, a corrupt and servile house of Commons, a full swing

of the patronage of their office, the whole host of ministerial influence, and all the power that place can confer upon them, to purchase up submission. And yet, armed with the liberty of the press, I will go forth to meet them, undismayed. I will attack, with that mighty engine, the mighty fabric they have raised. I will shake down corruption from its height, and bury it beneath the ruins of those abuses which it was meant to shelter!"

LETTER ON VENICE.

BY AD. GUEROULT.

[*Translated for the "National Magazine," by a friend abroad.*]

VENICE, *September* 27, 1838.

I should have given you but an imperfect idea of Venice, if, after having spoken of its ancient magnificence, and present misery, and of the chances of safety which are left it, I neglected to dwell upon the peculiar charm of a residence in that city. What seductive quality then has it, thus to win from the first day, the heart of those who approach it? Most assuredly, it cannot be said, that it is the life and motion of its ports, the opulence of its magazines, the splendor of its fetes, the charm of its reunions that dazzles or overcomes us. No, the city is deserted, the port still more so. The theatre of the Fenice is not yet open, and as to San-Benedetto, the "Enfans d'Edward," which I saw represented, the sounding pronunciation, and grimace of the actors, have no part, I assure you, in this seduction which Venice exercises and which few succeed in resisting. What seductive charm then I repeat, does this city have, to supply in place of every thing that enchants, of every thing that is esteemed in large cities, of distractions, movements and pleasures?

This attractive quality of Venice proceeds, beyond doubt, in a great degree, from the peculiar tone of its history. Cities that perish, die nearly always a violent death. they commence by declining and growing weak a long time before nand, and then when their strength is

gone, and the spirit which sustained them has begun to fail, they sink under the blows of some conqueror younger and more robust. But the traces of the struggle endure, and long after the rebuilding of the ruined edifices and destroyed walls by the conqueror, the conquered nourish at the bottom of their hearts, the regret of independence lost, and the fruitless desire to revolt. These agonies of a nation are most afflicting, and impress in most cases on every thing that survives a people,—manners, monuments, literature, something funeral and melancholy; it is like an eloquent text added to the countless testimonials of the vanity of human greatness. The imagination is awakened, and poets, dreamers, and the unfortunate seek in the contemplation of these poetical remains, the nourishment of their own grief. Such is, as is said, the sentiment caused by Rome,—the severe lines of its horizon, its mountains of ruins, and its beds of monuments piled upon each other, and buried for ages, long gone past. But Venice has not undergone a destiny so stormy. There is not a solitary trace of a single convulsion on the countenance of this dethroned queen. After having so long reigned upon the seas, having held the sceptre of navigation, commerce and pleasure, she has been extinguished gently, within the shadow of her marble palaces, and innumerable columns torn from the East. No violence, no rude embrace, has hastened her decay. Like to those Epicurean philosophers, of ancient Greece, who died crowned with roses, in the middle of a feast, after having poured out their last libation to Bacchus, and sung their last hymn to the Mother of Love, Venice has met her death, without pain, without anguish, without a melancholy foresight of her fate, and as the Don Juan of the poet:

> Trying with her left hand to raise the goblet,
> Abandoning the right to that of Destiny.

Another circumstance which belongs to the topographical position of the city, adds still more to the effect of this repose and serenity of death. Venice, as you are aware, is built in the midst of the waters, and although the numberless little islands of which the town is composed, are almost every one connected together by bridges, and one can, strictly speaking, traverse the city almost entirely, by following the labyrinths of alleys, which serpentine behind the houses; nevertheless, it is true, that the streets of Venice are its canals, and the gondolas the only means of transportation for those who do not go on foot. There is not in all the town a single vehicle; the only horses I have ever seen there, are those in bronze at the gateway of Saint Marc, and for many Venitians who have never been on terra firma, a horse is almost a fab-

ulous animal, as is for us a driotherium or a mastadon. This first singularity gives birth to a second: Venice is the most silent city in the world. The noise of wheels, the rolling of carriages, the feet of the horses that strike the pavement, are things unknown at Venice, and this silence, and the tranquility which it produces, leave you exposed without diversion, to the effect of its numerous and picturesque monuments, to the souvenirs, which they recall, and to this spirit of voluptuous indolence, in which the town reposes as if asleep. There is something magical in this city, we might imagine ourselves in the midst of a fairy scene, and of the enchanted palaces of the "Beauty asleep in the wood."

The place of Saint Marc is the only spot in the city where the animation of the evening breaks the charm and recalls the reality. It is a vast place in the form of a long square, which, on account of the arcades and galleries that surround, and the shops they protect, would recall the Palais Royal, if the five cupolas and steeple of Saint Marc, which rise at one of the extremities, did not replace you at every turn in presence of the east, which commences on the other side of the Adriatic, and whose inspiration is even yet so sensible at Venice.—Around the vast place are established numerous cafes, which are never closed day or night; one of them is only frequented by Albanians who instal themselves there at night with their long pipes, and who, by their picturesque costume, their manly and handsome appearance, and their countenances completely oriental, give an idea of what Venice was when the inhabitants of the eastern coasts of the Mediterranean established there their rendezvous.

A thing, of which it is necessary that I should speak, is the gondola. Whoever has not been in a gondola, will have had no idea of Venice. It is narrow and about eighteen or twenty feet long, terminating in a point, and armed at the two extremities with a piece of ribbed iron, so that to see them shoot forth at full speed, and skim the torpid waters of the canal, and glide upon the surface like flocks of sea birds, one would imagine that they were about to split every thing with the sharp irons of their prows. A small cabin is built in the middle, the gondolier takes his position in the stern with his oar. From a custom which goes back to the time of the republic, all gondolas are painted black and this melancholly uniform, this closed cabin, added to the silent rapidity of their course, augments the idea of intrigue and mystery, which the name alone of Venice excites with its jealous aristocracy, and free amours. It would be difficult to give an idea of the pleasure which one enjoys perambulating in a gondola, a cigar in the mouth, alone,

at night, on the grand canal; it is a luxury worthy of a Pacha. In the soft and wavering light of the moon, the gorgeous palaces of the two banks reflect their chiselled columns, their Corrinthian cornices, or Arabian treffles, in the waters, and in proportion as you ask their names, your gondolier recalls to your recollection, all the greatest families of the republic; it is a lesson in history as well as a voyage into the land of fairies. But whilst we are on the subject of gondolas, I must give you a word or so about a charming fete, in which I took part the other day.

The love of music is much diffused at Venice, particularly among the people. The gondoliers early learn, with the most religious fidelity, the strophes of Tasso, and a singing company has been formed among them, who give concerts on the water, when strangers pay them; and when not paid, they wander through the streets and public places, chaunting for their own satisfaction, and rceiving, in lieu of money, the plaudits of the crowd.

The Count de St. Anglaise arrived recently from Milan, where he had represented France amidst the imperial fetes with equal splendor and good taste, and where, eminently aided by the auxiliaries of a kindness so delicate, and a grace so attractive, he had acquired claims on the gratitude of Frenchmen. The arrival of the Countess which occurred several days later, gave the Ambassador an opportunity of indulging in a charming festival, in a serenade, wholly Venitian. After dinner, as the night commenced, we embarked in our gondolas, and entered the grand canal, whilst from a gondola, which preceded two other ones, arose delicious songs, seven or eight voices strong, vibrating, accentuated, chanting in separate parts, with a justness of intonation, a knowledge of measure, and a force of expression, which are not to be found with us, not even at the opera. They sang several strophes of Diasso,—it is a kind of complaint in recitation, which bears some no distant resemblance to the chaunt of the Passions, which is sung on good Friday. There followed the choruses of Tancred: "regna il terror nella citta," and last, a chorus which they call "Coro di Sgari," taken from I do not know where, a charming piece, which they repeated several times with an attractive effect and spirit. When we arrived under the immense arch which forms the bridge of the Rialto, the voices, imprisoned by the vault, echoed as if from an hundred singers. It will be long before I forget this delightful scene, the spirit of gondolier artists, their voices echoing at night beneath a starry sky, the moon ascending behind the palaces, and the imposing shadows which she made more striking, and all the gondolas of the voyageurs forming a

cortege in the wake of the concert, like a swarm of bees which the sound of brazen vessels collect together; and for me, who mingled with a feeling of gratitude towards the noble family that were so kind as to invite me to their rejoicings, (a souvenir slightly had of Paris,) and the regret of not being able to make many that I love share in pleasures so intense, all this formed one of those exquisite impressions the memory whereof never dies.

Such is the character of this people of Venice,—gentle, thoughtless, lovers of music and the dance, proud of the past without regretting it, or at least without allowing the recollection of its ancient glory to spoil their present enjoyment.

Several days ago I made an excursion to the Lido. This island, situated an half-hour's journey from Venice, is a rendezvous for pleasure. I met gondolas full of common people, men and women, flocking to this spot,—I supposed that some public rejoicing had been decided on, which was not however the fact; having soberly dined on the classic matelot, the girls and their beaux danced on the grass and under the trees, to the sound of the Barbary organ, with a grace of motion and picturesque attitudes which might have inspired Leopold Robert with a composition less serious and sad than his "Fishermen," if the unfortunate artist had not carried within himself the germ of a mortal melancholy. I observerd also, in these dancers, that soft gravity, that confidence in pleasure, which I had not seen out of Spain, and which seems to be alike free from the joys of vanity and fear of ridicule, that mortal foe of grace and artlessness; so that in witnessing this smiling and poetic misery, so lightly borne, I experienced remorse for having discoursed so long upon the commercial resurrection of Venice, and of having had the thought that it would be well to substitute the busy hum and care of industry, in place of an idleness so sweet, an agony so calm, a misfortune accompanied with so much carelessness and tranquility.

OUR FLAG:

BY WM. B. FAIRCHILD.

Above me is that banner bright
  Which waves o'er land and sea,
The potent symbol of our might—
  The emblem of the free!
What though in foreign clime it waves,
  Careering on the winds—
Whatever shore the ocean laves—
In Ægean isles—on North sea's waves—
  A deep respect it finds.

I've trod upon the Moslem's land,
  Surrounded by its slaves—
I've wandered o'er Arabian sands—
  And where the Red Sea laves;—
I've stood where Bab'lon's lofty domes
  Once glittered in the sun,
And in Egyptian catacombs—
But ne'er have blanch'd where that flag looms,
  By which our fathers won.

I've stood upon Helvetic's height,
  The home of William Tell—
And where the Polish sword's gleam'd bright,
  On Warsaw's citadel:
I've wandered far o'er land and sea;
  Where mortal e'er can roam—
I've wandered far, and wide, and free,
And thou hast ever sheltered me,
  Thou ensign of my home!

Beneath thy glorious stripes and stars
  Bright deeds have oft been done—
And 'neath thee many gallant scars
  In battle have been won.
Float on! as thou didst in that hour
  When freemen fought and bled—
And palsied be the hand 'twould lower
The emblem of our father's dower—
  Float on, till Freedom's fled!

XENIA, OHIO: 1839.

VELASCO:

A TRAGEDY, IN FIVE ACTS, BY EPES SARGENT. New York. Harper & Brothers. 1839. (pp. 110.)

"But who reads an American book?" once flippantly asked the leading literary journal of Britain; a question which was propounded, too, at a time when Bryant, and Halleck, and Cooper, and Irving, and Channing, had all written "American books." Fifteen years have brought about some change in these matters, and now there is no small competition among British booksellers who shall win the race of competition in re-publishing "American books" in London, and in obtaining American MSS., too, for original publication there. And even in despite of the obstacles that intervene, to prevent fair play to our writers, in the inequality that exists in the terms upon which copy-rights may be secured, at home and abroad, there is a very good business transacted in the publication and sale of "American books," in the very market, from the heart of which issued, but a few short years ago, this depreciative interrogatory. So surely does "the whirligig of time bring round his revenges!"

We hail the appearance of this most creditable performance of Mr. Sargent, as a material auxiliary in effecting this state of things in the literature of our country. He has presented us with a good play and a fine poem in one performance; and whether as the poet or the dramatist, has therein proved himself capable of sustaining a very high rank in the literature of his country. This Tragedy was originally written for Ellen Tree, who personated the character of the heroine with distinguished success, and made in it what theatre-goers denominate "a hit." It has now been put to press, and this neat edition has just been published, bearing the name of the talented author, and most appropriately inscribed to William C. Preston, of South Carolina. Of its origin and design Mr. Sargent makes the following prefatory remarks:

"The basis of this play is historical, though many of its scenes and situations are purely imaginary. All that may seem strange or unnatural in the conduct of the drama, is in strict accordance with popular tradition. The general action of the piece is derived from incidents in the career of Roderigo Diaz, the Cid, whose achievements constitute so considerable a portion of the historical and romantic literature of Spain. The subject has been variously treated by French and Spanish dramatists, among others by the celebrated Corneille, but the writer is not aware that it has ever been successfully introduced upon the English stage."

As all readers of reviews love to know "the plot," and as, moreover, that of "Velasco," is very well conceived and carried out, we will very briefly narrate the course of the story, in connexion with a few extracts which we offer as specimens of the literary and dramatic execution of the work, to the reader's notice.

The scene is laid in Burgos, the capital of old Castile, about the year 1046. Velasco is the son of an old and noble knight, De Lerma, and having interposed between the King, Ferdinand, and another of the old nobles of the kingdom, Gonzalez, to prevent a blow aimed by the former at the latter, he was banished for a year from Castile. Closing his vizor, and donning a suit of armor, he did not, however, leave the kingdom, but kept near the king, fought his battles nobly,—twice saved his sovereign's life,—and more than once, by his wonderful bravery, turned the tide of war in favor of the arms of his master. The evening of the day, at the close of which his term of banishment was to expire, at sun-set, is chosen by the author for the commencement of the action of the drama. He approaches the castle of his father with a squire, and demands admission, as "the masked cavalier," who had won for himself so much and so deserved renown. His apostrophe to the "old ancestral bulwarks" of his well-remembered home, is very beautiful :—

> Home! home, at last, Alfonzo! There they shine,
> The old ancestral bulwarks, in the rays
> Of the declining sun! A year has passed
> Since last I gazed upon them—there they rise,
> The same, as when a careless child I play'd
> Beneath their mighty shadows. How each nook
> Prates of the olden time! The very air
> Is fragrant as the breath of infancy!
> Old towers! I bring you no unworthy inmate,
> No spotted scutcheon, no inglorious name!

The fame of the masked knight had reached the court, and, upon the return of the King from the camp, the old De Lerma visits the palace to see "such a champion" as he had "proudly hoped one day to find Velasco." The old man was saddened by the bruit of a rumor, that his son had fled to the Moors, abjured his faith, and joined those infidels in battle. Meantime, even since his banishment, a feud had grown up between his father and that Gonzalez, from whom he had averted the anger of Ferdinand, the cause of his banishment; and this feud was now at its highest.

As the hall of the palace is filling with guests, expecting to see the hero of so much renown, we find that Izidora, the daughter of Gonzalez, the young and beautiful heroine of the piece, is sought in marriage by Hernando, her kinsman; but, in a conversation with her brother Julio, she acknowledges the deep impression which the fame of "this unknown and redoubted cavalier, with the barred vizor," has made upon her fancy; she praises his achievements so rapturously as to draw from her brother this reproof:

> He will not need
> A herald's clamorous voice to sound his praises,
> Nor the soft numbers of a troubadour,
> While thou shalt live to be his chronicler!
> I should be jealous now, were I Hernando.
> So scornful at the mention of his name!
> Thou lov'st thy kinsman?

To this, Izidora replies:

> Tell me what love is;
> And in all candor I will answer thee!

Julio's response is one of the gems of the piece:

> A cloud steep'd in the sunshine! An illusion,
> On which concentrate Passion's fiercest rays!
> Your lover's little better than a Pagan:
> On the heart's shrine he rears a human idol;
> Imagination heightens every charm,
> Brings down celestial attributes to clothe it,
> And dupes the willing soul, until, at length,
> He kneels unto a creature of the brain—
> A bright abstraction! But the cynic, Time,
> Who holds the touchstone to immortal TRUTH,
> Soon laughs him out of the prodigious folly!
> Say, art thou one of these idolaters?

But Izidora can find no such proof of love as this for Hernando in her heart. Her brother probes still deeper, and awakens in her memory a recollection of "a dark haired boy," who shared her youthful sports, in whom both she and Julian "lost a welcome playmate," when the feud between their fathers separated them. That youth was Velasco. They both join in regrets that he should have apostatized, and together enter the hall of the palace. All the court are there in brilliant state, and the author has described the scene with much power and truth. The reception of the young knight, still with his vizor closed, is very flattering, and soon after it Velasco obtains an opportunity to

speak to Izidora, and uses the occasion, thus obtained, to declare his love. The poet has conceived this scene with much truthful fidelity See how gracefully the lovers exchange their vows:

VELASCO.

The past again was mine; and memory
Did seem reality. I thought of her,
Whose childish beauty so enthrall'd my heart!

IZIDORA.

Of her? Of whom?

VELASCO.

Alas! I must forget.
But thou shalt hear my story: we were playmates
In the confiding hours of early youth.
I was the mimic champion of her wrongs,
And with my shield and lance I rescued her
From many a fabled giant. Ah! those days!
At length a feud broke out between our fathers;
And we were parted—but I kept the faith,
Which in my boyish earnestness I swore;
She was my paragon, my dream of joy!
Years passed. I went forth to my country's wars,
Dreaming of fame, but as a galliard's wreath,
To grace me in *her* eyes. When I return'd
She—false one!—was betroth'd unto another!

IZIDORA.

Velasco!

The King and his court re-enter, and Velasco is offered a royal boon, to be named by himself. He points to Izidora. The King becomes his interecssor with Gonzalez, who says the lady is affianced to Hernando, but Ferdinand prevails, and Izidora is bidden to use her privilege and to reject or accept the offer, as her heart may dictate. She gives her hand to Velasco, and the latter then uncloses his vizor. De Lerma is overjoyed, Gonzalez but ill conceals his deadly hate both to father and son, and vows to defeat the union. Hernando begins to plot to the same end, and invokes that revenge, which

Is patient as the watchful alchymist,
Sagacious as the blood-hound on the scent,
Secret as death!

Meantime more wars are toward. The Pope has made some unpalatable requisition upon Ferdinand, and his council is divided, De Lerma spurning the mandate of the Pope, and Gonzalez advising submission. This difference gives occasion to the latter to reflect upon the piety of De Lerma, and to awaken anew all his ancient hatred to him. The son of Gonzalez, Julio, is sent by the King on this busines as envoy to the court of Rome, and, before he departs, takes occasion to put his father on his guard, against this remorseless enmity to the house with which theirs is about to become allied. Full of the forebodings with which the knowledge of his father's temper towards De Lerma fills his fancy, he seeks a parting interview with Izidora, who, meeting him, upbraids him with his sadness. The rest of this scene is wrought with startling effect.

JULIO.

Alas! I never yet have parted from thee
With the sad thought that ere we meet again
Thou wouldst be all another's—never more
The gay, free-hearted, fond and careless girl,
Whose laugh in bower and hall was sweetest music.
Is not the thought well worth a casual tear?

IZIDORA.

Why should I be less happy or less fond?
The influences of all outward things—
The sky, the sunshine, and the vernal earth,
Beauty and song—will they not be the same?
Ah! there are spirits in this fretful world
Which grow not old and change not with seasons

JULIO.

Oh! let not that assure thee. Time, my sister,
Is not content with marring outward charms;
His deepening furrows reach the spirit's core.
They spoil the soul of many an airy grace—
Hope's gilded temples sink beneath his touch;
Joy's buds of promise wither at his frown!

IZIDORA.

Now, out upon this sullen humour, brother!
Have done, or I, in sooth, shall wish thee gone—
Ah no! not gone! but I would have thee glad,
Even though from me thou goest far away.

JULIO. (*Regarding her steadfastly.*)

I see it now—now, in that earnest smile—
Now, in the pallor of that tranquil brow—
The doom, the curse! Heaven shield thee, Izidora!
Farewell! farewell! [*Rushes out.*

Then follows an interview between the lovers, in the course of which the recollection of Julio's parting, is soon forgotten in the enjoyment of such a meeting. There is something very touching in the arch manner in which Izidora appoints the trysting place, and hour, with her lover.—

IZIDORA.

Dost remember,—
A favorite haunt with us in former days,—
A spot the peasants call, King Roderick's glen?
I shall be there by twilight.

VELASCO.

Not alone!
There from all sides shall start bright recollections,
And Hope shall catch new lustre from the past.

IZIDORA.

The present! Oh! the present! 'Tis so bright,
Mem'ry can lend no radiance from the Past,
Hope can reflect no glory from the Future! [*Exeunt.*

The plot of Hernando to defeat the hopes of his rival, and the lady who had refused his hand, has for its object the production of a rupture between the parents. He impresses Gonzalez with the belief that De Lerma has stigmatized his name by coupling it with treason. A meeting ensues, and Gonzalez strikes the old noble with his glove, and then disarms him, while impotently seeking to defend himself. Degraded by a blow, the ancient knight leans against a pillar, dumb with mortification, when Velasco enters.

Mr. Sargent has one peculiar and admirable trait: the power of presenting vivid and striking contrasts in his situations, heightening the effect of each by skilful juxtaposition. And here is a beautiful instance. While the father of the hero, a proud old Castilian, stands

Struck like a menial! buffeted! degraded!
And baffled in his impotent attack!

and lamenting that Fate and Time,

When they took away
From his right arm its cunning and its strength,
Its power to shield from wrong, or to redress,
Did not pluck from out his swelling heart
Its torturing sense of insult and of shame—

his son enters,—and mark the contrast between these reflections and those of the buoyant lover:

VELASCO.

The peerless Izidora! how my thoughts,
Swept by the grateful memory of her love,
Still bend to her like flowers before the breeze!
They paint her image on vacuity—
They make the air melodious with her voice!
And she—the idol of my boyhood's dreams—
Is now mine own betroth'd! Benignant heavens!
The gulf is pass'd, which threaten'd to divide us,
And the broad Future unobscured expands!

Then ensues an explanation,—a struggle between love and honor,—and a son's stern vow, to compel satisfaction or atonement. This scene is thrillingly painted, and with it the act closes thus:

VELASCO.

While the proud bird soar'd to the noonday sun,
The shaft was sped that dash'd him to the earth!
'Twas wing'd by Fate! 'Tis here! I cannot shrink
From the appalling sense that it is real!
This throbbing brain, this sick and riven heart,
These shudders, that convulse my very soul,
Confirm the dreadful truth. But oh! to think
Of all the wretchedness 'twill bring on *her*,
Her, whose glad tones and joy-bestowing beauty
Seem'd doubly glad and beautiful to day;
Whose little plans of happiness—
Great Heavens!
It will affright her reason—drive her mad!
It must not be!
And yet my father wrong'd,
Insulted by a blow—the proud old man,
Who fourscore years has kept his fame unblurr'd,
Now to be so disgraced, and no redress!
My honour calls! It drowns all other cries!
Love's shrieking wo, and Mercy's pleading voice!
Thus, thus! I cast them off—poor suppliants!
And now, Gonzalez! for revenge and thee!

Velasco seeks Gonzalez, and begins the interview by expostulating with him, intent upon bringing him to atonement, "Was it sir," asks the young soldier—

VELASCO.

Oh! was it, sir, an honourable deed—
One worthy of a brave and high-born knight,—
To strike an old man in his helplessness—
An old Castilian warrior, whose gray hairs,
O'ershadows scars enough to chronicle
His country's battles for these sixty years?

This touching appeal does not avail, and "the last resort" is resolved upon. Gonzalez accepts Velasco's challenge, and fearing interruption, opens a secret pannel, the entrance of a passage known only to himself, and says, (as he goes out,)

> It carries us to a secluded spot
> Beyond the castle walls. I would not share
> It's secret with my dearest friend on earth.
> *Thou* must not live to whisper it! Come on!

And here is another of those striking contrasts, of situations which we have already adverted, as displaying one of the author's happiest talents.

VELASCO.

> It is decreed!
> [*Izidora's voice is heard in singing*
> Her voice! her happy voice!
> Ill-fated Izidora! soon those tones
> Must be forever changed. Despair's wild shriek
> Must rend that fine, harmonious instrument,
> Made for the utterance of joy and love!

GONZALEZ. (*without.*)

> A laggard, sir?

VELASCO.

> Farewell, my love, for ever!
> Thus o'er the brink of our despair I rush!
> [*Exit. The pannel closes.*

Izidora enters, musing, and touches a lute;—her father is borne in wounded, and soon dies in her arms, having first placed his dagger in his daughter's hand, and exacted from her a vow, that she will to the death pursue the man who slew him. She makes the vow, and the father dies, without disclosing the name of him by whose hand he fell. Her first thought is to fly to Velasco, who was even then, she remembered keeping tryst with her in "King Roderick's glen."

Meantime a scene of great force has taken place between De Lerma and his son. A single passage will serve to show the conflicting emotions by which the heart of the latter is bitterly wrung.

> (*Enter Velasco, gazing distractedly on his drawn sword.*)
> Welcome! thou hast discharged a sacred duty!

VELASCO.

> Look there! it is his blood! Gonzalez' blood!
> He was the father of my Izidora!
> The parent fount, whence flow'd the ruby stream,

That circles in her fine, translucent veins!
'Tis the same blood that warms her innocent heart;
That paints the rose-leaf on her dainty cheek;
That mantles in her blush, when maiden pride
Checks the betrayal of her guileless love!
Her love! Oh! Heavens! what claim have I to that!
I, who have slain her father! I have done
A double murder! may a double curse
Fall on my head! for when th' infernal steel
Was levell'd at his breast, full well I knew,
That it would reach through him to Izidora!

[*With vehement emotion.*

'Twas thou! 'twas thou! who forced me to this deed!
Oh! is not this satiety of vengeance?
Now, to reward thy son, be merciful,

[*Gives De Lerma his sword.*

And turn the point, on which those sanguine drops
Plead, like the tears of orphans, for my suit,
Turn it against this desolated heart!
I kneel to thee! I ask it of thy mercy.

But the father bids him to be cheerful, reminding him that he has made

"A worthy offering on the shrine of honor,"

and the old Castilian takes the sword and vows to preserve it, bloody as it is, as proof that the stain on his escutcheon has been fully wiped away.

Velasco keeps his appointment with Izidora. As he enters the glen, he says,

There is no coolness in the summer rain!
The elements have lost their attributes,
The oaks are shiver'd round me, in the blaze
Of the near lightning, as it bursts the folds
Of its black cerements, but no gracious bolt
Blasts me or scathes! A wilder storm is here!
The fiery quiver of the clouds will be
Exhausted soon—the hurricane will sink;
And, through the vista of the western clouds,
The slant rays of the setting sun will stream—
And birds, on every glistening bough will hail
The refluent brightness and the freshen'd air;
But when will pass away from this sad heart
The cloud of grief, the tempest of remorse!
When will the winged hopes, that glanced and sang
In joy's melodious atmosphere, return,
To welcome back the gladness of the soul!

This is, certainly, poetry of no common order of excellence.

The interview of Velasco with his betrothed, the daughter of the man he had slain, must be read at length to be adequately enjoyed, and for this we have not sufficient space. She tells him that she "has sworn an oath, an oath of vengence," and exclaims,

Where is the man, Velasco? thou shalt be
My champion, the avenger of my father!

He still hesitates to disclose the fatal secret, possessed by himself alone. She continues,

We are betrothed! but, ere a bridegroom's hand
Is closed in mine, the atonement must be made.
Were he among the mightiest of the land,
Who must account for this unholy deed,
Before thy arm of terror he would quail!

He tells her that if the death of him who slew her father would content her, the boon were not difficult to grant.

IZIDORA.

Know'st thou the man, Velasco?

VELASCO.

Yes.

IZIDORA.

Oh! haste
To find him then!

VELASCO.

He is already found.

IZIDORA.

Where is the man? Who is he?

VELASCO.

He is here!
I am the man! Well mayst thou look aghast.

[*A peal of thunder. Izidora falls to the ground.*

The thunder echoes it! the sable air
Tolls with the sound, and sheds lamenting drops:
The tocsin of the elements proclaims it,
And nature shudders!
It hath stunn'd thy soul!
Oh, flower too early blighted! Izidora!
Look up! arise! Return to thy sad home!
Nay, do not gaze so steadfastly upon
That fearful conjuration of thy brain.

Recovering her senses, she awakes slowly to a full sense of the horror of her situation.

VELASCO.

Oh! let me palliate the dreadful act.
Thou dost not know—but thou art faint, my love.

IZIDORA.

Stand back! sir knight! thy arm no more shall clasp me.
Think of my oath! it yet must be fulfill'd.
Before the king himself I will arraign thee
To answer for this deed.—I am devoted
To the fulfilment of a sacred duty;
But did not think to find in thee the man—

VELASCO.

Oh may I not support thee to thy home?
Thou'rt weak, distracted mourner!

IZIDORA.

No. Away!
A power—not mine—sustains my weary—limbs.

(*Enter Hernando, who receives her insensible in his arms.*)

HERNANDO.

Here, in her kinsman's arms, is her protection.
Wouldst thou, yet sprinkled with her parent's blood,
Proffer thy aid? [*Bears her out.*

VELASCO. (*looking after them.*)
Lost! lost! For ever lost!

[*Throws himself on the ground.*

Thus the infernal plot of Hernando prospers. Izidora denounces Velasco to the King. The King demands proof that Gonzalez fell in an unfair contest. Hernando imputes to Velasco unworthy motives for the act. Velasco scornfully repels the base aspersion, and throwing down his gauntlet, defies the charge. De Lerma then reveals the truth, and Velasco, in the spirit of that age, is held but to have done his duty. The following passages contain a fine commentary upon the factitious requisitions of that then all-absorbing spirit, which we call chivalry.

[*Exeunt all but Izidora and Velasco.*

VELASCO.

Thou hast heard all which can extenuate
The perpetration of the deed we mourn:

Oh! wilt thou not believe, that when mine arm
Was raised to strike, my heart was torn with anguish?
That I did love thee better at that moment,
While severing the tie between our fates,
Than when exulting hope was all mine own?

IZIDORA.

Call it not love, Velasco; hadst thou loved,
Thou sooner wouldst have died a death of shame
Than brought this weight of misery upon me.

VELASCO.

Oh! sound the dreary depth of my despair,
Then, if thou canst, measure my boundless love.

IZIDORA.

Call'st thou that love which pride can subjugate?
Which can be quell'd by what the world calls honor,
Or made to yield even by filial duty?
No! to all these true love is paramount!

VELASCO.

Oh! my fair name had been for ever lost,
If I had tamely borne the unmeasured insult.

IZIDORA.

No! One appealing word had wrought compunction
In the offender's heart; but PRIDE withheld thee.
A human victim was the sole oblation
Which could appease thy Moloch! and revenge
Was dearer to thee than the hopes of love!
More sacred than thy plighted faith to her,
Who to thy trust gave all her happiness!
Oh! what a reckless steward hast thou been!

VELASCO.

Could I behold a venerated father
Crush'd by a sense of unrequited wrong,
Wasted by stricken pride and wounded honor,
And with the power to save, deny redress?

IZIDORA.

Thou dost but point the sting of mine own conscience.
If to redress a blow, thy sacrifice
Was the aggressor's life, what should be mine,
Who have a father's slaughter to avenge!

They recal the memories of past days; and Izidora in the midst of dreams like this, is startled by a word of fondness from Velasco, with a remembrance of her dreadful vow.

Forbear! This is impiety, Velasco.
Think! my father!
Dying he drew from me a sacred oath,
And as a legacy, bequeath'd this dagger!

VELASCO.

My heart leaps to it! Strike, and do not quail—
Now, ere thy purpose flag—strike! I will bless thee!

[*She raises it as if to strike him—he extends his arms, inviting the blow, whereupon she drops the dagger and rushes out.*

Were I the only victim, I could brave,
Methinks, Fate's worst infliction; but my heart
Breaks when I see *her* suffer. I look round
For refuge, but can find one only haven—
The quiet grave! As if to point the way,
[*Taking up the dagger.*
The steel she left gleams on me!

But his better genius comes to his aid, and the young Castilian knight dies not "as a fool dieth."

A sinew's quick contraction and 'tis done!—
No, no, Velasco! 'tis a weary march!
And many droop and falter by the way,
And many, treading in forbidden paths,
At their great Captain's sacred laws rebel—
But the good soldier still maintains his post;
Obeys, and presses forward to the last;
While on the streaming flag, that marshals him,
And lifts the emblem of his faith, he reads,
BY THIS SIGN SHALT THOU CONQUER! [*Exit.*

There is a page, named Carlos, who performs a very important part in the machinery of the piece, and the character of whom is drawn with much playful humor and spirit. He is a boy, who would be thought a man,—of much quickness, and very clever in serving his friends, and baffling his enemies,—ripe and ready in stratagem and manœuvre. He is a strong partizan of the brave Velasco, and takes especial pains to countervail the treacherous plots of the villain, Hernando, against him. He overhears, by accident, the development of an intrigue of Hernando, with one of his creatures, to slay Julio, and then to possess himself of Izidora, and through her of the castle of Gonzalez.

In pursuance of this notable design, we soon find Hernando filling the castle with his own adherents, and endeavoring to persuade Izidora to his wishes. He is upon the point of proceeding to force, when Velasco, who has been informed of the plot by Carlos, enters silently through the secret passage, the access to which he had learned so fatally. Velasco opposes himself to Hernando, who, retreating from the sword of this enexpected foe, calls his guards. Meanwhile, Velasco endeavours to prevail on Izidora to escape, but before this can be accomplished, Hernando returns with his soldiers, when the following scene occurs; a scene, the full effectiveness of which cannot be appreciated upon a perusal. We have seen the curtain fall upon its representation, amid the loudest and most prolonged applause from a crowded audience that we remember ever to have heard within the walls of a theatre.

(*Enter Hernando, Mendoza, and soldiers.*)

HERNANDO.

Part! or ye both shall fall beneath our swords.
Tear them asunder.

IZIDORA.

We'll not part, Velasco!

(*A soldier advances with a battle-axe. Velasco seizes it from him, and drops his sword.*)

VELASCO.

It were the pastime of a holyday
To sweep battallions of you down like reeds!
And here is one, whom if ye dare to harm,
Even in the grazing of her sacred robe,
I'll hew a passage, cravens! through your hearts.
Come! ye should know me. I am he who burst
Upon the conquering Moors, a SANTIAGO.

HERNANDO.

'Sdeath! Do you trail your spears? 'Tis but one man—
Bear down! secure them, your reward is doubled.

[*As they level their spears, Carlos rushes in through the secret passage.*

Boy! thou hast rushed to thine own chastisement—
Thou too art lost!

CARLOS.

Hold! all! [*a pause*] The King approaches!

[*They fall back in dismay.*

[Enter Ferdinand through the passage with attendants, &c. bearing torches. The King points to Hernando and Mendoza, who are seized. Velasco supports Izidora. The soldiers of Hernando kneel and lay down their arms.

And here closes the fourth act. The incidents which follow this *denoeument* are, the resolution of Izidora to wed Velasco, the preparations, with the King's command, for the wedding, in great splendor, the trial of Hernando, and the clemency of Velasco in giving the wretch his life, being thereto permitted by the King. Then Julio, the brother of Izidora, returns to court, is informed of the manner of his father's death, is commanded by the King to fasten no quarrel on Velasco,—forbids, however, the progress of the nuptials, and finding himself baffled in this, accepts from Hernando a phial of poison, to be used as the means of preventing the marriage of his sister with their father's slayer. As he conceals the phial, Carlos enters and observes him. The wedding-day arrives; the preparations for the nuptials take place in the royal palace. Izidora enters, attired as a bride.

IZIDORA.

I will believe that I am borne along
To this day's purpose in the arms of Fate!
For, though my better angel warns me back
With earnest gesture and imploring eyes,
Yet am I weak, resistless as a child!

[Shouts are heard.

Shout on, glad voices! Swell your acclamations!
It is my bridal day—a day of joy!
My heart is lifted on those waves of sound,
And thrills with the first gladness it has known
Since—since—
Away! away! thou fiend, remembrance!
Is there no spell can lay thee? Thou art hideous,
Yet there's a fascination in thy horror
That bids me gaze and gaze till I am frenzied.
Ah me! on what a base is reared the joy,
A single flash of memory can shiver!
What have I done? Brief is the time elapsed
Since, with the ashes of his great forefathers,
All that is mortal of my sire was blended.
And now death's sable livery is changed
For bridal pomp—the wail of lamentation
For shouts of mirth, and nuptial harmonies!
And he, I wed, is—reason cannot breathe it!—
Yet in that little space—that sand of time—
What weary lives of anguish have been crowded!

What maddening thoughts! What passions and what terrors!
Revenge and love and duty and despair!
The fury of the elements! the shock
Of adverse fleets on a tempestuous sea!
But, over all, riding the topmost wave,
Love's bark still floats triumphant!

Then follows a scene with Velasco, of doubt and misgiving, as she thinks of her vow to the dead; strange fantasies, and fearful bodings of evil arise and perplex her, and in depicting them, the author has produced one of the most powerful scenes of the play. She recovers from the oppressive influence of one of those "thickening frenzies," as the bridal music is heard; Velasco, supporting her, says;

Dost hear? The bridal train
Expect our coming. 'Twas a fleeting dream—

IZIDORA.

Is there no portent in the troubled air
To blast my senses, if I look around?

VELASCO.

Ah, no! come forth! The blessed sunshine streams
O'er the green earth; and every human heart
Is dancing in its brightness. Look, and hear!
Fair sights, glad sounds, for us are fair and glad.

IZIDORA.

I hear a step, whose is it?

[*Enter Julio and Carlos.*]

Mine own brother!

VELASCO.

Julio!

A single look is exchanged, which both too well understand, and brother and sister are left together. Their sad greetings over, Julio beseeches her to forego the performance of her marriage promise. Then he threatens. But to entreaty and menace she is alike deaf; and she leaves her brother to meet her lover at the altar.

The last scene discloses the magnificent array of the bridal banquetting hall, while the holy rite is performing in the chapel. Julio enters, and having attempted to pour the contents of the phial Hernando had given him into the goblet, out of which the King's pledge is to be drank, recoils, and says:

Was I struck blind!
Ere I could do the deed, a shadow fell
On all around me; and the flashing board

Changed to funeral blackness! Indistinct
Was every object to my blasted sight;—
And the gemm'd goblet faded, and the floor
Sank in, and reel'd like the sea's undulations!
I'll not renew th' attempt.

[*A burst of sprightly music is heard from a distance.*]

Ah! they approach!
With dulcimer and cymbal, they approach!
Ghost of my slaughter'd father! Now transfuse
Into this frame thy immaterial essence!
Nerve the obedient muscle of mine arm,
And be thine own avenger!

[*He again approaches the goblet, and with a steady hand infuses the poison. Just as he is turning from the perpetration of the deed, Carlos and Izidora appear at the door in the back ground. The former, after a significant gesture, withdraws; and the latter comes forward unperceived by Julio, and lays her hand upon him, which causes him to start with terror.*]

It is done!

Izidora conjures him to undo the foul mischief he had done. He evades her. She threatens to proclaim it. He vows the instant death of Velasco by the dagger, if she attempts to betray him. Overcome with her emotions, she is about to rush out, when Julio catches her, fainting in his arms. The court and bridal party enter, forming a splendid array upon the stage. The King commands Julio and Velasco to pledge each other, as brothers.

JULIO.

My liege, my heart goes with it,—
And I will play the Ganymede myself.

[*He leaves Izidora, who stands motionless and unconscious, but gradually revives as Velasco speaks. Julio fills two goblets, and hands the poisoned one to Velasco, who replaces it on the board so abruptly as to excite Julio's apprehensions lest he is aware of the treachery. But Velasco advances and frankly offers him his hand.*]

VELASCO.

Julio! thy hand! thou makest me, by this act,
Bankrupt in gratitude. I slew thy father—
My honor forced me, while my heart revolted!
I will requite thee with a brother's kindness,
Cherish thy sister with a parent's care,
And with a lover's duty. To our union!

[*As Velasco lifts the goblet, Izidora utters a faint exclamation, which arrests his hand.*]

JULIO. [*aside to Izidora.*]

Beware!

VELASCO.

What says the bride?

JULIO.

'Twas naught—the joy—
The transport—Come! our union!

IZIDORA. [*seizing the goblet from Velasco.*

Give it me.

[*Trembling she returns the goblet to the table.*]

VELASCO.

What wouldst thou, Izidora?

IZIDORA.

Taste it not.
Thou wouldst not quaff before the bride has sipp'd?

JULIO.

I'll not be thwarted by thee.

FERDINAND:

Ah! Prevent him.

JULIO.

My father aims the blow! It is Gonzalez!

[*Stabs Velasco.*

[*As Izidora springs to meet Velasco, he falls at her feet.*]

IZIDORA. [*leaning over him.*]

Oh, fatal treason! terrible revenge!

VELASCO.

Thy love supports me—and thy arm enfolds me—
My ebbing sight heaves its last glance on thee—
Thus dying, death is grateful. Oh, farewell!

[*Dies.*

IZIDORA.

Are ye all speechless? I should be, were't not
I know that I full soon shall follow him.
Faint? very faint?

[*Seizes the poisoned goblet.*

Here's that which shall revive me!

[*Drains it.*

JULIO.

It is the poison'd goblet!

IZIDORA.

Not a drop
Remains for thee.

[*Gazing upon Velasco.*

Alas! my only love!
The brave, the glorious, and the beautiful!
In death we are united; never more
To part! The expiation is complete!

[*She sinks gradually from the arms of her brother towards Velasco, and dies.*

CURTAIN FALLS.

We have only space to add to our extended notice of "Velasco," a renewed expression of our admiration of this very creditable performance of Mr. Sargent, and of the sincere hope that we shall, ere long, have an opportunity of greeting, with a willing and cordial welcome, another effort of his pen.

THE IDIOT BARON:

BY THE AUTHOR OF "LOVE AT THE SHRINES," "THE TRIUMPH," &c.

In other days and in other lands, there dwelt the relic of a mighty race, an old and feudal line, whose name had been borne high in the wars of Palestine. The castle in which he dwelt was a gloomy, vast, and splendid building, situated in the midst of a wild and rugged country, and at its base rolled a broad river, whose shores were rocky, high and precipitous.

The sinking sunlight streamed through an arched window at the end of a long gallery, whose length was lighted up with the extreme horizontal rays. It was a noble gallery, filled with pictures of the old warriors, and poets, and fair dames of past generations, and who had left behind them but one relic of their powerful name. He was in their midst, more beautiful than any that smiled down from these high walls upon him; for every feature of his face was moulded in faultless grace,

his forehead was expansive, and his eye was black, wizard-like, full of a fearful, a strange, a mighty expression. In long ringlets his hair fell over each shoulder, and he stood in the full blaze of the sun, with his wild eye fixed upon a peculiraly stern portrait.

For some moments he was motionless, save in the almost imperceptible shudder that ran through his frame. While he looked at the portrait his eye gleamed with a ferocious smirk, and he raised his right arm and shook his clenched fist in the air. Wild and ghastly was the shriek that broke from his lips, as with a convulsed gesture he started from his fixed position, and rushing down the gallery, he glanced fearfully at the numerous portraits—awful curses and imprecations rose upon the air, while that strange being coursed along his solitary apartment. No person interrupted the terrific scene by their presence—no trembling domestics appeared at a side door to witness the strange conduct of their lord, but alone, in his fearful rage, he was left to play his part.

At length he stopped in his flight, with his eyes fixed, and his long hair damp and in disorder. But no longer was the look expressive of fury; but in its stead was a gentle, a sweet, "but not an eloquent one;" and the tears were coursing down his pale cheeks. At the end of the gallery where he stood, was the portrait of a female. Beautiful beyond expression was that celestial face, and towards it he gazed with a subdued and palpitating look. At all the other portraits of his ancestors he had uttered curses, and waved his hand in rage, but before that one portrait of surpassing loveliness, he was checked, subdued.

Ah, witchery of beauty—power of the ideal-present, the fascination of the expression of unlanguaged sense—the heart bends down in almost tearful and indistinct memory of some past visions of pre-birthed beauty, long ere the soul was faced about with the god-like body—a witchery that beams along the eye as it flashes or melts over adoring subjects, that hovers amid the indefinable glories of languished expression and subdued tones that ring in almighty joyousness upon the enraptured ear; to this sense of the profound spirit, the all-swaying, all enslaving principle, bowed that Idiot-Lord, and his darkened spirit leapt as with a new pulse as he gazed upon its glorious impersonation before him.

No more rang the gallery with his shrieks—no more his maniac laughter pealed upon the air of solitude, but with an enslaved eye, still vacant of all expression save idiocism, wildness, and awe, he crouched before the image of his mother-ancestor.

The shadows of evening fell—the night closed in dumbness around the castle. The full-orbed moon arose—the death of motion seemed

to have taken place—no voice sounded organ-like amid the deluge-leaves of the forest—the stupendous silence of nature, heavy as a mountain, deep as its mysteries, fell like a mantle from the skies. In that old castle, where ages before, minstrelsy had awoke melody from every theme, where chivalry had held her gauntlet and her banner high, and love, queen of all manly hearts, had decked herself for worship, and where festivity had quaffed her giddy cup, no sound of humanity could be heard.

The moon steeped all the turrets over and over with her light, and she seemed to dream upon the scenes of other days, so softly and so weirdly dwelt she about the old battlements.

Hour after hour peals forth the clock—no lights are seen to gleam along the windows—no voice from riotous servants breaks the charm of this solemn silence, and there in the midst of unbounded wealth, without a relative to watch his motions, no servant bold enough to impede his course, sat the young Baron. His chamber was high and wainscotted—old curtains, half a century had seen them hanging in the same place, adorned his couch, and a tall silver lamp burned upon an iron-looking table. No books were visible, no music,—nothing with which the mind might occupy itself, and with his eye fixed upon the steady light of his lamp, he sat motionless as a statue.

What thoughts are beating beneath that beautiful and polished brow? Who can tell? Fearful question—could he answer? Yes, in that still, vacant eye, is more than mental weakness, there is a soul and heart madness too; there are thoughts rising up with each minute that would soar like eagles, but are checked by the black void, the dismal, stupidity of his intellect. He feels the heart moving within its proper sphere—he puts his hand upon his breast, and oh how it is shaken by its convulsions!

He rose and left the room; he passed through the dark corridors, and issued from the house. The river lay before him, its broad waters surging at his feet; he hears the splash upon the beach, and from the high rocks he cries aloud in the still night; around him, from a hundred caverns, rings the echo of the idiot's wail. He hears his cry repeated from every quarter, and he courses along the shore, flying as if some demon was at his heels. The moon was hovering upon her western ring, when the Baron returned to his chamber, where throwing himself upon his bed, with aching temples and bewildered heart, he found refreshment in sleep.

* * * * * * * * *

"Have you seen him to-day, my daughter?" asked a tall, gaunt, wiry, greedy old man, of a young maiden of eighteen, as he put his

bony finger upon her shoulder, and fixed his hawk eye upon her face. "Have you seen the noble Baron—the beautiful Baron with the broad fields and great castle?"

"No, father, I have not; nor do I wish to see him. I can pity and pray for him, as I do nightly, but I never wish to see any being so glorious, as they say he is, in form, with a mind so ruined."

"Ah, but I want you to see him, Catharine, there is use in seeing him—I must build up my ruined house—he can do it—you can make him do it. Smile upon him if you meet him, aye, smile from your very soul,—no maiden shyness—no fears—smile, win him in any way, so that you win him!"

The girl shuddered at her father's words, but replied not, for she knew too well that opposition would but excite to greater stubbornness his resolution. To marry the Idiot Baron was an idea of itself too horrible for her contemplation; but to woo him, to throw herself in his way, to make use of those soft, those passionate looks, that women assume, when they would intoxicate to delirium, or when they are wickedly won, shocked to so great a degree the nervous gentleness of her nature, that she almost hated her parent for suggesting to her the wicked design. Independent of these sentiments, her heart was pledged to another.

The old man peered into her face to see if he could discern what impression he had made upon her mind; but when he met the blushing cheek, and mantled brow, and tearful eye, his rage mounted over every other consideration, and he seized her by the hand:

"By the Maker, but you shall see him!—come with me this instant, I will have it so! You are a pretty miss to baulk my will—I, who have lost everything, who am a beggar in reality, the world knows not that, however, and now that you can give me gold, you refuse!—come, you shall not baulk me!"

He dragged her towards the door, his eyes flashing, and his muscular frame expanded, with fury. As he reached it, it was thrown open, and a young and singular looking man confronted them. In a moment the old man was paralyzed; he dropped his daughter's hand; he trembled, and his eyes were thrown upon the floor. The individual who caused such a change in this singular scene, was about twenty-five years of age; his figure was tall and compactly formed; his eye was cold and serene; no emotion seemed to play beneath its veiled and steady look, but that of a bold and daring temper; he was handsome yet repulsive

Without noticing the abject condition of the old man, he approached Catharine. She had sprung forward to meet him; her deep eyes had changed their alarmed expression, and now beamed with love—she

was in his arms, with her head resting upon his breast, and her eyes upraised to his. He pressed her gently, and kissed her forehead.

* * * * * * * *

Theodore De —— was a bold and crafty man; he had ambition, and was not destiute of genius, or, to speak more correctly, of talent. He was thoroughly selfish, yet he had learned to love Catharine with tenderness and warmth. To her he poured forth the burning aspirations of his soul in language so eloquent, that she conceived herself the source of his inspiration. He was poor, yet of noble blood, and he imagined that the father of Catharine was immensely rich. Little did he know how false were his hopes in that quarter. He knew not of the ruinous failures that had befallen the greedy speculations of the old man, who, proud of the possession of wealth, and as proud to appear to have it, took care that no one should know how far he had conquered or been vanquished in his plans.

He had, to the extent of his ability, endeavored to persuade the world into a belief that he was still master of millions, and among others he had imposed upon Theodore De ——. In him, he had found a bold aspiring man, with a keen and searching intellect; and it is the nature of the mercenary and the base to dread those whose minds soar keener than their own. It is true that in Theodore he had never expected to find a lover of his daughter, and when the fact disclosed itself by the numerous testimonies that were brought to his eyes, he was overwhelmed, but he dared not step in between their affections. Catharine had told him all, and had replied, as woman always does effectively to paternal threats, by tears that told at once her weakness and her strength.

Suddenly the idea of uniting his child to the Baron had taken possession of his mind, and he resolved to sacrifice her happiness to his lust for money. But Theodore's cold and unflinching look overthrew him; and it seemed as if destiny was intefering between him and his wishes, when Theodore interrupted him in his violence towards Catharine.

The old man was wicked and he was cunning. Money was his god. He slept not at night for the bright visions that visited his conjuring eyes; his days were haunted with the golden dreams of jewels, and ducats, and broad acres, and his eye grew sharp with the desire, his cheeks paled and were wrinkled, and his action was nervous and alarmed. Apparently he was surrounded by abundance, yet strange men visited him at times, and whenever that happened, he was more alarmed and nervous than ever. They were those to whom he was

indebted, and whom he supplicated on his knees for farther indulgence, hinting to them that soon, very soon, he would satisfy their claims with large interest. They went and came again, and the old man grew more desperate at each visit; and the hope of marrying Catharine to the Idiot Baron, was the only hope of his existence. But a short time remained between him and the dungeon. His resolve was taken, and he plunged deeply into his villainous schemes against his daughter.

He became more mysterious than formerly, and to Theodore he threw out vague hints, calculated to alarm the sensitiveness of a lover, and he would point over towards the distant turrets of the castle, and with a shrug and an ominous smile, hold up his finger in a gesture of caution. Theodore was puzzled; his temper was aroused—his suspicions too—was Catharine concerned in all this?—how was she involved? Again the old man would meet him, and laying his hand upon his breast, would point to the castle and then to his own house, intimating to Theodore that there was some mysterious connexion between the two mansions.

The whirlwind was gathering in the lover's heart—selfishness was the demon that created it. He felt convinced that there was some plot against his happiness, and he was startled into horrible certainty when the old man whispered in his ear that he was a bankrupt, and with a chuckling laugh, added that Catharine would make all right by a marriage with the Idiot.

Was she false to him? He knew that he had been led to woo her under the impression that her father was the master of immense wealth, that he was a miser who had hoarded, and would still hoard treasures for his daughter; and though he had been afterwards won by the gentle beauty of her whom he had at first determined should be but an agent of his ambition; still, when he examined into his heart, he found sufficient cause to justify any change, almost any deceit that she might practice towards him. He held her not by the tie that is woven by the tearful eyes and the rapturous heart, when all else is mute, voiceless and cold, in the abstracted and forgotten world, and love never having existed in its original tenderness, it was easy for the revolution of his emotions to take place, and ere he had an interview with her, he had commenced to hate her.

His manner changed, and the old man watched with a trembling eye the altered mien of Theodore; in that change was hope—but yet there was to be effected that greater revolution, the change in the heart of an unmarried and loving girl. Woman may change after wedlock; the affections may become blunted and jaded with the de-

scent from the early hills of bliss, she may sigh for that glorious scenery of romance, and turn from the husband to doat on some hero whom imagination decks in robes of glory. To change the heart of young romance, of untried sentiment, is a task beyond even the mighty powers of a Prospero.

The change in her lover's manner was not unobserved by Catharine; she saw that a cloud was upon his brow, and his voice did not sound as musical as of yore. She reflected deeply upon the causes that might have induced this alteration. She could fix upon none—she was as tender, as confiding as ever—she shared his walks by the river, but she did not observe that he shunned those paths that led to the castle.

On one evening, while the sun was gilding with his glory the scenery in which they were, they entered a part of the forest that was not so familiar to them. The evening was calm and mild, and Catharine felt that if Theodore was but as he used to be, that perfect bliss would environ her heart, and lend to nature charms of celestial character. He held her hand upon his arm, and his brows were knit together, and he walked on returning her remarks by short replies devoid of tenderness.

She had asked him why he had changed his conduct to her, suggesting a thousand worldly causes that might have occurred to distress him, never dreaming that his love was gone, and that he whom she had looked upon as her future husband, was at that moment hating her, and planning a dark and horrible revenge.

They had now entered into the deeper recess of the grove, where there was no undergrowth, and where the trees shot up their tall trunks unencumbered with branches, when suddenly the figure of a man crossed one of the natural vistas. He was dressed in deep black, and his head, covered with a velvet cap, in which was carelessly stuck a short white plume, was hanging on his breast, across which his arms were folded. The tears were rolling from his large bright eyes, but not a feature changed or moved out of their marble composure.

Theodore and Catharine stopped suddenly, and as the figure crossed the broad avenue, he raised his head and caught the eyes of Catharine. He gazed for a moment with a look that seemed to struggle with some heart-compelling influence, and then he placed his hands upon his heart and abruptly dashed in rapid flight amid the gathering gloom of the woods. When Catharine recovered herself, she looked towards Theodore, but how altered was that countenance. He returned her innocent look with one so stern and fearful, so full of concentrated

malice, that she felt, for the first time, that an awful change had taken place, not only in his feelings towards her, but in his character. She had never seen him wear a look so terrific, indeed nothing even to be interpreted by the most overstrained suspicion and sensitiveness, into one that threatened coldness towards her.

With a faint and trembling heart she dragged him from the spot, and hurriedly they returned home. From that event Theodore dated his plans. He had seen the admiring look of the Idiot Baron—had seen his passionate gesture, and had construed her look of wonder into one of love.

All the evil passions of his unbridled youth were revived within him. Love's revulsions change from the ideal to the sensual, and in the fairest flower-garden there does the hurricane scatter the most rose leaves.

The Idiot Baron, meantime, continued in one dark routine. He cursed the images of his ancestors under a vague sense of his condition, and he sought the river banks in the night for the breaking of its waves on the pebbly beach, 'twas music and balm to his vacant mind. At times he would pause and gaze upon the stars, and the big tears would course his cheeks, and a voice of touching melancholy would issue from his lips—and a star would rise up from the depths of his own mind, it would culminate to the meridian, and then dazzle and confuse his aching soul. Shining down upon him, it assumed the features of that ancestor before whom, in the gallery, he had stood and wept. It was the only moral planet that decorated the dark vault of his intellect; and because it was solitary, its light was effulgent. Chaos and desolation, voiceless of all human sympathy, the ignorance of a divine power, the destitution of a soul-worship, environed and benumbed his nature, and he lived on in the tremendous misery of idiocism. There is no mind, however, so completely overcast but that at times, glimpses, faint and tremulous, intervene, and show as with a pencil of light, the path to sense. But whenever these glimpses do occur, they awaken, not a desire to know, but a phrenzy to resist. There were moments when that star of beauty, gloriously divesting itself of clouds, beamed over the whole desert of his mind, and called it in tears, and in human feeling, to ideas miraculously divine.

Who can describe the wild tumult of his soul after he had seen Catharine? Fury and helpless weakness took possession of him by turns, and he buried himself in the depths of his castle for several days. His servants were alarmed at the heighth of his madness, but when they entered his apartment he would fly upon them like a goaded beast, and

then fall into a state of complete insanity. That vision was linked by some extraordinary bond with all his ideas relative to the beautiful portrait. He had imagined that Catharine's countenance was like that ancestor's, for whose likeness he had formed an indefinite emotion of love, and the effect of an actual contact with an earthly being like to it, was terrific upon him.

He did not love, but he was startled into a helpless sense of the impossibility of his loving. This fact came to him by no natural process of intellectual cause, but through the fountains of his heart, in whose depths was mirrored the face of nature without the mental expression of her features.

At length he left the castle, he wandered through the woods, he had forgotten that he had ever met with Catharine, and her image was blended with that of his ancestor upon which he daily looked like a fond child with a man's passion in its heart. His phrenzy had been subdued by exhaustion, and he felt a weakness deeper and more desponding than ever. A gradual but powerful current was coursing through his limbs, mists rolled about him, and wild shouts issuing by his side and dying away in the hills, rang in his ears. He gazed abroad upon the face of nature helpless and hopeless, he looked upon the green fields, but they returned no smile upon *his* wildness, nothing was his companion but the old river that he loved so dearly. The line of the horizon danced and quivered as if fingers in the air, played upon it, and his brain reeled in sickness and despair. He stood upon the brink of a rock, the river rolled darkly beneath him, the air around him was heavy, and his eyes swam, and with a start he looked wistfully in the depth below. He stretched his aching head over the rock, he heard the splash of the cliff-broken wave, and and he burned with the passion of death. The idiot wished to die! A voice of alarm that called his name rose upon his ear, he caught its accents as his feet were about loosening their hold forever to the earth, and he looked around. Catharine, with her hand beckoning him away, and Theodore with his arms folded, and a cold smile on his lip, stood within twenty paces of him. She had seen his wild movements, and as he was about making the fatal leap, she had called his name. He gazed at her for several moments, he saw her once more, and again as if a spirit had passed in the air before him, he rushed towards the castle. Again the fit was upon him. Miserable youth. He, so beautiful, with locks of such glorious flow, with eyes so briliant, how doomed!

Theodore and Catharine continued in their troth, and seemingly they loved as fondly as before; no opportunity escaped the old man,

however, to instil into Theodore's heart the passion of jealousy. The mind stretched upon the rack of doubt, lighted by the last, yet the strongest scintallas of affection, goaded on to jealousy, stung by a disparaging preference, about to be disgraced by the disdain of a woman, whom it had deemed its own, thinking that her form was to bless some other, however strong that mind originally might have been, and the stronger it was, deeper is the revulsion, it becomes destitute of reflection save upon one subject, and on that it dwells until, like the serpent and its prey, it poisons every thought. It was so with Theodore. His coldness and restraint of manner had produced corresponding effects upon Catharine. This change on her he did not attribute to his own conduct, but to her design upon the Idiot Baron. All her actions were interpreted the reverse of their true meaning, and because, in her maiden innocence, she could not make advances towards a cold and stern suitor, he imagined that it was because she was reserving her blandishments for the Idiot. Out of this temper of mind he hardened the dagger of revenge. He treated her kindly, was gentle and persuasive, but when she returned his play of love, his heart would quiver, and attribute it to a natural wantonness, that cared not whether it toyed with a fool or a philosopher. His very kindness, and her return of kindness, engendered new metal for his hate.

He walked with her and poured into her ear the language of love; he clothed his words in tones gentle and persuasive; he kissed her upon her lips and pressed her figure to his breast; he mentioned ideas calculated to arouse and to awaken, but not to alarm. He used every effort, but yet his revenge was not complete. He cared not how or in which direction their walks carried them, so they were amid the grove or by the solitary river.

Catharine was bewitched; her mind was convinced that his love had returned, and she did not check those numerous expressions of devotion that young tongues echo from the loud thundering heart.

The Baron knelt before the image in his gallery. His face was calm and tearless, and his eyes were upraised to the lovely countenance. Not a sob, not a sigh escaped him, and he seemed like the statue of some knight, placed there in monumental adoration of his mistress. It was a pitiless sight, to see that lonely and darkened creature, there in his forefather's castle, a huge vast pile, unattended by a relation, all of whom had perished in the wars, save a few who shunned the Idiot, hoping that their neglect would tend to consummate the catastrophe that would put them in undisturbed possession of his wealth, bowed down with the abjectness of a wild and unnatural love that was stealing

over him. As yet he had not felt its full force, he had not been made sensible of its presence save by one sense; he had not felt the magic of intimate association with the object of desire; he had but conversed with his wild eyes with a painting, that at times waned away from its loveliness into the shadow of a ghost.

Two stars now uprose to his subdued yet sublimated vision. The one was like the picture, the other wore the semblance of Catharine. He worshipped both, that poor youth, and he worshipped without an articulate prayer, without an end. The sense of affection that he had never known before, softened his character. The evening fell, the moon rose not, and yet the Idiot knelt, and in the morning his servants found him stretched on the floor beneath the picture, asleep,—sweet sleep of the simple heart. What dreams did come to it? Who knows not that the Merciful is kinder to the bereft than to the gifted, that at night he visits the eylids of the mind afflicted, and touches them with the power to see beyond the gates of Paradise, and into the million glories that in fantastic and gorgeous groups fill the air, to the vision of disenthralled reason. To that poor and deserted creatures eyes, dreams, out of the providence of mercy did come. Hard as was his couch, his heart was wrapt in balm, and his visions were such as are given only to those whose daily tongues cannot repeat the glory thereof. Images after images of loveliness flitted by him, wreathing time into garlands, and festooning the world with minutes, that glittered like diamonds as they passed. The regions of airy speculation were thrown open, and temples arose, and golden spires that pierced the blue skies like the swift prayer of the holy. He saw the gardens of bliss, and amid them walked two angels, gradually their faces drew near to him, their aromatic breaths fanned his brow, delicious languor overcame him, and each with an eye swimming with joy, kissed him on his lips. When he awoke it was with a strange sensation of happiness, and the sun of heaven was dwelling with its early rays upon his forehead.

It will be borne in mind by the gentle reader, that Theodore was plotting deep revenge towards Catharine, for the supposed injury she was inflicting upon him. He did not doubt the fact, for her father had told him that she favored the design of restoring the fortunes of the house, by a marriage with the Idiot Baron, and with the malice of a fiend, he continued to hate, and yet to pay the attentions of love, to Catharine.

On one evening, after the old man had stimulated his zeal by new suggestions and the invention of circumstances to corroborate his in-

formation, Theodore proposed to Catharine to walk. She consented, but with some reluctance. However kind Theodore had been, she could not at times but observe a singularity in his deportment that was not consistent with his professions of affection.

They strolled arm in arm, towards the spot where they had last seen the Idiot. Theodore was unusually attentive, and at times he made remarks which, if not exactly improper, fell with a slight shock upon her feelings. He plied his eloquence to its full extent, he told of love and all its adventures and accidents, and justified its errors, with the tongue of an angel. Catharine was bewildered, her senses were confused, she heard his words, she drank in his meaning, but she recognized in them nothing akin to virtue. She trembled, yet she showed no outward signs of fear. The mystery was falling from around her hero, and blackness and sin were making up the foreground of the altered picture.

They had reached the rock on which the Idiot had stood, and from which he had been about to leap. A thick tree grew up from a mossy fissure on one side and afforded in that direction a complete screen. Theodore drew Catharine forward, and as he did so, she did not mark his flushed and agitated face. The invitation was gently done, and ere she was aware of it he had attempted an injury, than suffer which it is better to endure death. She screamed, and in his baffled rage he seized her by the waist with one hand while with the other he attempted to stop her voice. One moment and all is over, for quick as the wing of the lightning, Theodore is struck with a powerful arm, he is on the brink of the precipice, his arms grasp at the o'er-hanging, and too distant branches, his eyes roll with horror. The next moment a heavy splash in the river underneath tells the fatal and terrible catastrophe. Catharine sees before her the Idiot Baron. He has fixed his eyes upon her. His body seems as if shaken by an earthquake; drops of perspiration stand upon his brow, his eyes flash and dilate, his nostrils expand, his tongue moves about in his mouth, he is under some terrible emotion.

The tremor of his frame denotes some great physical change. Lo! he speaks, his language is eloquent, his articulation distinct, his ideas regular and rational. The scene he had just witnessed, the rescue he had brought, the terrific mental struggles he had lately undergone, a contest waged between the powers of his heart and head, the mysterious influence of love, had produced these extraordinary natural results. The fabric of his idiocism had been shattered as by a bolt, and he was no more the Idiot.

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A sick man lay upon his death bed, a few friends have gathered in his apartment, but no whisper interrupts the intercourse between the dying man and the Invisible. A beautiful female with face extremely sad, sits by his pillow, and one hand of the sick man is firmly pressed between both of hers. Her large lustrous eyes are full of tears, but she sobs not. It is Catharine watching the last moments of her father. A few months had intervened between the date of this scene and the last, that we have described.

The old man had fallen a victim to his own passions, the absorbing thirst for gold, and the dreadful result to which he had nearly brought his daughter, in obedience to his passion, had acted with other causes that have been mentioned, upon his highly wrought nervous system, and a disease rapid and fatal had fallen upon him. The miser turned his wide stretched eyes upon the face of his child, all traces of cunning had left his features, and the nobility of death was stamped on every line. His daughter met his look, and her's was tender as it had ever been. He seemed to shrink within his inmost soul, as some recollection of his dark designs flashed across him, but she disengaged one of her hands, and softly pressed it upon his lips. He kissed it fervently as the symbol of his pardon.

He then whispered a few words in her ear that made her suddenly start, but on the next instant she suppressed her feelings, and continued to listen with an undisguised expression of horror upon her countenance. He was telling her of his deep plans against her, and how easily Theodore had caught at his vague suggestions. The mention of Theodore's name tingled through her as if his ghost was whispering in her soul, but she did not allow her father to witness the extent of her agony.

She had ceased to love Theodore, though there were times when angelic forgiveness rose through the mists of horrible memories, and scattered the flowers of pardon over his deeds; but when she reflected on the cold and systematic craft with which he had plotted her ruin, she banished his image with the curse of her utter hatred. As she held her father's hand, she felt his fingers tighten and relax their slight hold, and turning to his face she saw that his eyes were fixed on vacancy. The scene became confused, and her senses reeled, and she was borne from the bedside of her dying parent by her friends. In a few minutes the heavy tread of hurrying footsteps across his apartment, announced that but *one* there was *silent*. These hurrying steps in the chamber of the dead, that have been so long muffled, are the most awful sounds that listening love can hear.

Catharine was left alone after the funeral of her father, save a female friend, who partook of the solitude of her vacant home. But there was one whose whole soul was gratitude, and whose heart watched over her with the truest love. It was the Baron. He had had no relapse, and his mind had taken its flight like a free bird, wheresoever it listed. He had purchased, under the direction of a friend, an extensive assortment of books; and while music floated through his castle, he bent his mind to the acquisition of knowledge. Months fled by, and saw him dividing his time between his studies and his beautiful neighbor.

Years had passed by, and we are called to paint another picture on our tableau.

In a high and curiously wrought chamber, ornamented with statues of exquisite workmanship, and pictures of delightful coloring and design, with books scattered around the room, and music and musical instruments, sat a lady at a harp. She was apparently about thirty years of age. At her feet played a little boy, some four years old, and the dark eyes, and curled lips, and bold forehead, bespoke him a boy of high intellectual parentage. His lips and brow were like the lady's. She struck her harp, and thence was flung music that thrilled and intoxicated the very soul. Her eyes were fixed upon a man who was leaning over his table engaged in writing. Her look was one of proud and adoring affection. The object of her regard was a man with a remarkable face, that conveyed to the gazer an expression of almost supernatural meditation. His eyes were exceedingly strange, subdued but piercing, and the brows were arched, and high up over them towered the lordly and magnificent forehead. He was engaged in an employment that engrossed his thoughts, though at times he paused to listen to the music of the harp. In doing so he seemed to catch inspiration from the notes, and he renewed his occupation.

It was the Idiot Baron, and Catharine, and their child. He had, under skilful teachers, but more under his gentle guardian, (following the light of love,the harmonizer,) progressed through his studies, and with a mind full of poetry, with wealth to command access to every source, he had written books himself, books characterized by no great depth of acquired learning, but glowing in every page with the impress of a bold and original intellect. His native country was becoming proud of him, and readers of other nations, who perused his works with rapture, ne'er dreamed that he who wrote them had once been an idiot.

We see, again, that love can work miracles of triumph.